

## Cumulative Index Index cumulatif

---

Volume 55, Number 4, November 2010

URI: <https://id.erudit.org/iderudit/1000793ar>

DOI: <https://doi.org/10.7202/1000793ar>

[See table of contents](#)

---

Publisher(s)

McGill Law Journal / Revue de droit de McGill

ISSN

0024-9041 (print)

1920-6356 (digital)

[Explore this journal](#)

---

Cite this document

(2010). Cumulative Index / Index cumulatif. *McGill Law Journal / Revue de droit de McGill*, 55(4), 995–1021. <https://doi.org/10.7202/1000793ar>

CUMULATIVE INDEX CUMULATIF  
VOLUMES 51-55  
2006–2010

ARTICLES—AUTHORS  
ARTICLES—AUTEURS

- ADAMS, ERIC  
Canada’s “Newer Constitutional Law”  
and the Idea of Constitutional Rights.....51:435
- ADAMS, ERIC M.  
Building a Law of Human Rights:  
*Roncarelli v. Duplessis* in Canadian  
Constitutional Culture.....55:437
- AFFOLDER, NATASHA  
Domesticating the Exotic Species:  
International Biodiversity Law in  
Canada .....51:217
- ARONSON, MARK  
Some Australian Reflections on  
*Roncarelli v. Duplessis* .....55:615
- ATTARAN, AMIR AND WILSON, KUMANAN  
A Legal and Epidemiological Justification  
for Federal Authority in Public Health  
Emergencies.....52:381
- AUSTIN, LISA M.  
Privacy and Private Law: The Dilemma  
of Justification .....55:165
- BENEDET, JANINE AND GRANT, ISABEL  
Hearing the Sexual Assault Complaints  
of Women with Mental Disabilities:  
Consent, Capacity, and Mistaken Belief.....52:243
- BENEDET, JANINE AND GRANT, ISABEL  
Hearing the Sexual Assault Complaints  
of Women with Mental Disabilities:  
Evidentiary and Procedural Issues.....52:515
- BENIZRI, YOHAN-AVNER  
Droit d’auteur et co (régulation) : la  
politique du droit d’auteur sur l’Internet.....53:375

BERNATCHEZ, STÉPHANE Les rapports entre le droit administratif et les droits et libertés : la revision judiciaire ou le contrôle constitutionnel ? .....	55:641
BERNHEIM, EMMANUELLE Le droit à l'information des patients gardés en établissement : un instrument essentiel de promotion des valeurs démocratiques et du statut citoyen .....	54:547
BHABHA, FAISAL Between Exclusion and Assimilation: Experimentalizing Multiculturalism .....	54:45
BOIRAL, OLIVIER ET HALLEY, PAULE Les systèmes de gestion environnementale au Canada : Enjeux et implications pour les politiques publiques de l'environnement .....	53:649
BRAËN, ANDRÉ La responsabilité de la société de classification en droit maritime canadien .....	52:495
BROWN, RUSSELL The Possibility of "Inference Causation": Inferring Cause-in-Fact and the Nature of Legal Fact-Finding .....	55:1
CAMERON, ALEX AND TOMKOWICZ, ROBERT Competition Policy and Canada's New Breed of "Copyright" Law .....	52:291
CARTIER, GENEVIÈVE L'héritage de l'affaire <i>Roncarelli c. Duplessis</i> , 1959–2009 .....	55:375
CARTIER, GENEVIÈVE Préface .....	55:i
COLANGELO, ALEX AND MAURUSHAT, ALANA Exploring the Limits of Computer Code as a Protected Form of Expression: A Suggested Approach to Encryption, Computer Viruses, and Technological Protection Measures .....	51:47
CRAIG, ELAINE Laws of Desire: The Political Morality of Public Sex .....	54:355

CUMYN, MICHELLE	
Responsibility for Another's Debt: Suretyship, Solidarity, and Imperfect Delegation .....	55:211
D'AGOSTINO, GIUSEPPINA	
Healing Fair Dealing: A Comparative Copyright Analysis of Canada's Fair Dealing to U.K. Fair Dealing and U.S. Fair Dealing .....	53:309
DE BEER, JEREMY F.	
Copyrights, Federalism, and the Constitutionality of Canada's Private Copying Levy .....	51:735
DEBRUCHE, ANNE-FRANÇOISE	
L'équité judiciaire, de l'ombre à la lumière : archéologie d'une exception singulière aux règles de la publicité immobilière .....	55:819
DE MESTRAL, ARMAND AND FOX-DECENT, EVAN	
Rethinking the Relationship Between International and Domestic Law .....	53:573
DUFF, DAVID G.	
Canadian Bijuralism and the Concept of an Acquisition of Property in the Federal <i>Income Tax Act</i> .....	54:423
DUFRAIMONT, LISA	
Evidence Law and the Jury: A Reassessment.....	53:199
DYZENHAUS, DAVID	
Rand's Legal Republicanism.....	55:491
ELLIOT, ROBIN AND HSU, SHI-LING	
Regulating Greenhouse Gases in Canada: Constitutional and Policy Dimensions.....	54:463
ELTIS, KAREN	
La surveillance du courrier électronique en milieu de travail : le Québec succombera t'il à l'influence de l'approche américaine ? .....	51:475
FAIRFIELD, JOSHUA A.T.	
Anti-Social Contracts: The Contractual Governance of Virtual Worlds .....	53:427

FIORINI, AUDE Enlèvements internationaux d'enfants— solutions internationales et responsabilités étatiques .....	51:279
FORCESE, CRAIG De-immunizing Torture: Reconciling Human Rights and State Immunity .....	52:127
FORD, CRISTIE Principles-Based Securities Regulation in the Wake of the Global Financial Crisis .....	55:257
FOX-DECENT, EVAN Democratizing Common Law Constitutionalism .....	55:511
FOX-DECENT, EVAN AND DE MESTRAL, ARMAND Rethinking the Relationship Between International and Domestic Law .....	53:573
GILLEN, MARK A Comparison of Business Income Trust Governance and Corporate Governance: Is There a Need for Legislation or Further Regulation? .....	51:327
GIRGIS, JASSMINE Deepening Insolvency in Canada? .....	53:167
GOUBAU, DOMINIQUE ET OUELLETTE, FRANÇOISE-ROMAINE L'adoption et le difficile équilibre des droits et des intérêts : le cas du programme québécois de la «Banque mixte» .....	51:1
GRANT, ISABEL AND BENEDET, JANINE Hearing the Sexual Assault Complaints of Women with Mental Disabilities: Consent, Capacity, and Mistaken Belief.....	52:243
GRANT, ISABEL AND BENEDET, JANINE Hearing the Sexual Assault Complaints of Women with Mental Disabilities: Evidentiary and Procedural Issues.....	52:515
GRATTON, SUSAN L. Standing at the Divide: The Relationship Between Administrative Law and the <i>Charter Post-Multani</i> .....	53:477
GROLEAU, JEAN-PHILIPPE Interlocutory Injunctions: Revisiting the Three-Pronged Test.....	53:269

- HALLEY, PAULE ET BOIRAL, OLIVIER  
 Les systèmes de gestion environnementale  
 au Canada : Enjeux et implications pour  
 les politiques publiques de l'environnement .....53:649
- HSU, SHI-LING AND ELLIOT, ROBIN  
 Regulating Greenhouse Gases in Canada:  
 Constitutional and Policy Dimensions.....54:463
- KABLAN, SERGE ET OULAÏ, ARTHUR  
 La formalisation du devoir d'information  
 dans les contrats de cyberconsommation :  
 analyse de la solution québécoise .....54:627
- KATZ, LARISSA  
 The Moral Paradox of Adverse Possession:  
 Sovereignty and Revolution in Property Law .....55:47
- LACOURSIÈRE, MARC  
 Propositions de réforme pour une protection  
 des titulaires de cartes de débit victimes de  
 transferts de fonds non autorisés .....54:91
- LAMPRON, LOUIS-PHILIPPE  
 Pour que la tempête ne s'étende jamais hors  
 du verre d'eau : réflexions sur la protection  
 des convictions religieuses au Canada .....55:743
- LANGILLE, BRIAN  
 The Freedom of Association Mess: How We  
 Got into It and How We Can Get out of It.....54:177
- LAROCQUE, FRANÇOIS  
 La Loi sur l'immunité des États canadienne et  
 la torture .....55:81
- LECKEY, ROBERT  
 Complexifying *Roncarelli's* Rule of Law .....55:721
- LÉVESQUE, EMMANUELLE  
 Les exigences légales entourant le  
 consentement dans la recherche avec  
 des enfants et des adultes inaptes : une  
 piste de solution aux difficultés posées  
 par les art. 21 et 24 C.c.Q.....51:385
- LEVY, RON  
 Regulating Impartiality: Electoral-Boundary  
 Politics in the Administrative Arena .....53:1
- LEWANS, MATTHEW  
*Roncarelli's* Green Card: The Role of Citizenship  
 in Randian Constitutionalism .....55:537

LISTON, MARY	
Witnessing Arbitrariness: <i>Roncarelli v. Duplessis</i>	
Fifty Years On .....	55:689
LUCY, WILLIAM	
Method and Fit: Two Problems for	
Contemporary Philosophies of Tort Law .....	52:605
MACDONALD, RODERICK A.	
Was Duplessis Right?.....	55:401
MAKELA, FINN	
“Tell Me Where It Hurts”: Workplace	
Sexual Harassment Compensation and	
the Regulation of Hysterical Victims .....	51:27
MANFREDI, CHRISTOPHER AND RUSH, MARK	
Electoral Jurisprudence in the Canadian	
and U.S. Supreme Courts: Evolution and	
Convergence.....	52:457
MAURUSHAT, ALANA AND COLANGELO, ALEX	
Exploring the Limits of Computer Code	
as a Protected Form of Expression: A	
Suggested Approach to Encryption,	
Computer Viruses, and Technological	
Protection Measures.....	51:47
MAYEDA, GRAHAM	
Appreciate the Difference: The Role of	
Different Domestic Norms in Law and	
Development Reform; Lessons from China	
and Japan.....	51:547
MAYER-ROBITAILLE, LAURENCE ET PARENT, GENEVIÈVE	
Agriculture et culture : le défi de l’OMC	
de prendre en compte les considérations	
non commerciales .....	52:415
MCCORMICK, PETER	
Standing Apart: Separate Concurrence and	
the Modern Supreme Court of Canada,	
1984-2006 .....	53:137
McKEE, DEREK	
The Public/Private Distinction in	
<i>Roncarelli v. Duplessis</i> .....	55:461
MIGNEAULT, GAÉTAN	
La progression des droits linguistiques	
au Nouveau-Brunswick dans une	
perspective historique globale .....	52:83

- MINOW, MARTHA  
 Living Up to Rules: Holding Soldiers  
 Responsible for Abusive Conduct and  
 the Dilemma of the Superior Orders  
 Defence .....52:1
- MULLAN, DAVID  
*Roncarelli v. Duplessis* and Damages for  
 Abuse of Power: For What Did It Stand  
 in 1959 and For What Does It Stand in  
 2009?.....55:587
- NEWMAN, DWIGHT G.  
 You Still Know Nothin' 'Bout Me:  
 Toward Cross-Cultural Theorizing  
 of Aboriginal Rights.....52:725
- NEYERS, J.W.  
 Explaining the Principled Exception to Privity  
 of Contract.....52:757
- NOTEBAERT, GÉRARD  
 Faut-il réformer le système de l'arbitrage  
 de griefs au Québec ?.....53:103
- OLTHUIS, BRENT  
 The Constitution's Peoples: Approaching  
 Community in the Context of Section 35  
 of the *Constitution Act, 1982* .....54:1
- OTIS, GHISLAIN  
 L'autonomie personnelle au cœur des droits  
 ancestraux : *sub qua lege vivis* ?.....52:657
- OUELLETTE, FRANÇOISE-ROMAINE ET GOUBAU, DOMINIQUE  
 L'adoption et le difficile équilibre des droits  
 et des intérêts : le cas du programme  
 québécois de la «Banque mixte» .....51:1
- OULAI, ARTHUR ET KABLAN, SERGE  
 La formalisation du devoir d'information  
 dans les contrats de cyberconsommation :  
 analyse de la solution québécoise .....54:627
- PARENT, GENEVIÈVE ET MAYER-ROBITAILLE, LAURENCE  
 Agriculture et culture : le défi de l'OMC  
 de prendre en compte les considérations  
 non commerciales .....52:415
- PLAMONDON, LUC  
 L'arrêt *Thibault* et le contrat de rente.....52:339



REHAAG, SEAN	
Patrolling the Borders of Sexual Orientation: Bisexual Refugee Claims in Canada .....	53:59
ROBITAILLE, DAVID	
Non-universalité, illégitimité et surcomplexité des droits économiques et sociaux ? Des préoccupations légitimes mais hypertrophiées : regard sur la jurisprudence canadienne et sud-africaine .....	53:243
ROUILLARD-LABBÉ, LINDY ET SCOTT, VALÉRIE	
La constitutionnalité de l'interdiction de publicité directe des médicaments d'ordonnance .....	54:133
ROUSSEAU, STÉPHANE	
Enhancing the Accountability of Credit Rating Agencies: The Case for a Disclosure-Based Approach .....	51:617
ROY, ALAIN	
Le contrat de mariage en droit québécois : un destin marqué du sceau du paradoxe .....	51:665
RUSH, MARK AND MANFREDI, CHRISTOPHER	
Electoral Jurisprudence in the Canadian and U.S. Supreme Courts: Evolution and Convergence .....	52:457
SCASSA, TERESA	
Original Facts: Skill, Judgment, and the Public Domain .....	51:253
SCOTT, VALÉRIE ET ROUILLARD-LABBÉ, LINDY	
La constitutionnalité de l'interdiction de publicité directe des médicaments d'ordonnance .....	54:133
SIEMS, MATHIAS M.	
Legal Origins: Reconciling Law & Finance and Comparative Law .....	52:55
SLINN, SARA	
No Right (to Organize) Without a Remedy: Evidence and Consequences of the Failure to Provide Compensatory Remedies for Unfair Labour Practices in British Columbia .....	53:687
SOSSIN, LORNE	
The Unfinished Project of <i>Roncarelli v.</i> <i>Duplessis</i> : Justiciability, Discretion, and the Limits of the Rule of Law .....	55:661

STEWART, HAMISH The Confessions Rule and the <i>Charter</i> .....	54:517
SYLVESTRE MARIE-EVE Rethinking Criminal Responsibility for Poor Offenders: Choice, Monstrosity, and the Logic of Practice .....	55:771
TOMKOWICZ, ROBERT AND CAMERON, ALEX Competition Policy and Canada's New Breed of "Copyright" Law .....	52:291
VANDUZER, J. ANTHONY Enhancing the Procedural Legitimacy of Investor-State Arbitration Through Transparency and Amicus Curiae Participation .....	52:681
WALTERS, MARK D. Legality as Reason: Dicey, Rand, and the Rule of Law .....	55:563
WATSON HAMILTON, JONNETTE Pre-Dispute Consumer Arbitration Clauses: Denying Access to Justice? .....	51:693
WEBBER, JEREMY The Grammar of Customary Law .....	54:579
WILSON, KUMANAN AND ATTARAN, AMIR A Legal and Epidemiological Justification for Federal Authority in Public Health Emergencies .....	52:381
WISEMAN, DAVID Competence Concerns in <i>Charter</i> Adjudication: Countering the Anti-Poverty Incompetence Argument .....	51:503

**ARTICLES—TITLES**  
**ARTICLES—TITRES**

ADOPTION ET LE DIFFICILE ÉQUILIBRE DES DROITS ET DES INTÉRÊTS : LE CAS DU PROGRAMME QUÉBÉCOIS DE LA «BANQUE MIXTE», L' Dominique Goubau et Françoise-Romaine Ouellette .....	51:1
AGRICULTURE ET CULTURE : LE DÉFI DE L'OMC DE PRENDRE EN COMPTE LES CONSIDÉRATIONS NON COMMERCIALES Geneviève Parent et Laurence Mayer-Robitaille .....	52:415

ANTI-SOCIAL CONTRACTS: THE CONTRACTUAL GOVERNANCE OF VIRTUAL WORLDS Joshua A.T. Fairfield.....	53:427
APPRECIATE THE DIFFERENCE: THE ROLE OF DIFFERENT DOMESTIC NORMS IN LAW AND DEVELOPMENT REFORM; LESSONS FROM CHINA AND JAPAN Graham Mayeda.....	51:547
ARRÊT <i>THIBAUT</i> ET LE CONTRAT DE RENTE, L' Luc Plamondon.....	52:339
AUTONOMIE PERSONNELLE AU CŒUR DES DROITS ANCESTRAUX : <i>SUB QUA LEGE VIVIS</i> ? Ghislain Otis.....	52:657
BETWEEN EXCLUSION AND ASSIMILATION: EXPERIMENTALIZING MULTICULTURALISM Faisal Bhabha.....	54:45
BUILDING A LAW OF HUMAN RIGHTS: <i>RONCARELLI V. DUPLESSIS</i> IN CANADIAN CONSTITUTIONAL CULTURE Eric. M. Adams.....	55:437
CANADA'S "NEWER CONSTITUTIONAL LAW" AND THE IDEA OF CONSTITUTIONAL RIGHTS Eric Adams.....	51:435
CANADIAN BIJURALISM AND THE CONCEPT OF AN ACQUISITION OF PROPERTY IN THE FEDERAL <i>INCOME TAX ACT</i> David G. Duff.....	54:423
COMPARISON OF BUSINESS INCOME TRUST GOVERNANCE AND CORPORATE GOVERNANCE: IS THERE A NEED FOR LEGISLATION OR FURTHER REGULATION?, A Mark Gillen.....	51:327
COMPETENCE CONCERNS IN <i>CHARTER</i> ADJUDICATION: COUNTERING THE ANTI-POVERTY INCOMPETENCE ARGUMENT David Wiseman.....	51:503

COMPETITION POLICY AND CANADA'S NEW BREED OF "COPYRIGHT" LAW Alex Cameron and Robert Tomkowicz.....	52:291
COMPLEXIFYING <i>RONCARELLI'S</i> RULE OF LAW Robert Leckey .....	55:721
CONFESSIONS RULE AND THE <i>CHARTER</i> , THE Hamish Stewart.....	54:517
CONSTITUTION'S PEOPLES: APPROACHING COMMUNITY IN THE CONTEXT OF SECTION 35 OF THE <i>CONSTITUTION ACT, 1982</i> , THE Brenth Olthuis.....	54:1
CONSTITUTIONNALITÉ DE L'INTERDICTION DE PUBLICITÉ DIRECTE DES MÉDICAMENTS D'ORDONNANCE, LA Lindy Rouillard-Labbé et Valérie Scott .....	54:133
CONTRAT DE MARIAGE EN DROIT QUÉBÉCOIS : UN DESTIN MARQUÉ DU SCEAU DU PARADOXE, LE Alain Roy.....	51:665
COPYRIGHTS, FEDERALISM, AND THE CONSTITUTIONALITY OF CANADA'S PRIVATE COPYING LEVY Jeremy F. de Beer.....	51:735
DEEPENING INSOLVENCY IN CANADA? Jasmine Girgis .....	53:167
DE-IMMUNIZING TORTURE: RECONCILING HUMAN RIGHTS AND STATE IMMUNITY Craig Forcese .....	52:127
DEMOCRATIZING COMMON LAW CONSTITUTIONALISM Evan Fox-Decent .....	55:511
DOMESTICATING THE EXOTIC SPECIES: INTERNATIONAL BIODIVERSITY LAW IN CANADA Natasha Affolder .....	51:217
DROIT À L'INFORMATION DES PATIENTS GARDÉS EN ÉTABLISSEMENT : UN INSTRUMENT ESSENTIEL DE PROMOTION DES VALEURS DÉMOCRATIQUES ET DU STATUT CITOYEN, LE Emmanuelle Bernheim .....	54:547

DROIT D'AUTEUR ET CO (RÉGULATION) : LA POLITIQUE DU DROIT D'AUTEUR SUR L'INTERNET Yohan-Avner Benizri.....	53:375
ELECTORAL JURISPRUDENCE IN THE CANADIAN AND U.S. SUPREME COURTS: EVOLUTION AND CONVERGENCE Christopher Manfredi and Mark Rush.....	52:457
ENHANCING THE ACCOUNTABILITY OF CREDIT RATING AGENCIES: THE CASE FOR A DISCLOSURE-BASED APPROACH Stéphane Rousseau .....	51:617
ENHANCING THE PROCEDURAL LEGITIMACY OF INVESTOR-STATE ARBITRATION THROUGH TRANSPARENCY AND AMICUS CURIAE PARTICIPATION J. Anthony VanDuzer.....	52:681
ENLÈVEMENTS INTERNATIONAUX D'ENFANTS—SOLUTIONS INTERNATIONALES ET RESPONSABILITÉS ÉTATIQUES Aude Fiorini .....	51:279
ÉQUITÉ JUDICIAIRE, DE L'OMBRE À LA LUMIÈRE : ARCHÉOLOGIE D'UNE EXCEPTION SINGULIÈRE AUX RÈGLES DE LA PUBLICITÉ IMMOBILIÈRE, L' Anne-Françoise Debruche.....	55:819
EVIDENCE LAW AND THE JURY: A REASSESSMENT Lisa Dufraimont .....	53:199
EXIGENCES LÉGALES ENTOURANT LE CONSENTEMENT DANS LA RECHERCHE AVEC DES ENFANTS ET DES ADULTES INAPTES : UNE PISTE DE SOLUTION AUX DIFFICULTÉS POSÉES PAR LES ART. 21 ET 24 C.C.Q., LES Emmanuelle Lévesque.....	51:385
EXPLAINING THE PRINCIPLED EXCEPTION TO PRIVACY OF CONTRACT J.W. Neyers.....	52:757
EXPLORING THE LIMITS OF COMPUTER CODE AS A PROTECTED FORM OF EXPRESSION: A SUGGESTED APPROACH TO ENCRYPTION, COMPUTER VIRUSES, AND TECHNOLOGICAL PROTECTION MEASURES Alex Colangelo and Alana Maurushat.....	51:47

FAUT-IL RÉFORMER LE SYSTÈME DE L'ARBITRAGE DE GRIEFS AU QUÉBEC ? Gérard Notebaert .....	53:103
FORMALISATION DU DEVOIR D'INFORMATION DANS LES CONTRATS DE CYBERCONSOMMATION : ANALYSE DE LA SOLUTION QUÉBÉCOISE, LA Serge Kablan et Arthur Oulai .....	54:627
FREEDOM OF ASSOCIATION MESS: HOW WE GOT INTO IT AND HOW WE CAN GET OUT OF IT, THE Brian Langille .....	54:177
GRAMMAR OF CUSTOMARY LAW, THE Jeremy Webber .....	54:579
HEALING FAIR DEALING: A COMPARATIVE COPYRIGHT ANALYSIS OF CANADA'S FAIR DEALING TO U.K. FAIR DEALING AND U.S. FAIR DEALING Giuseppina D'Agostino .....	53:309
HEARING THE SEXUAL ASSAULT COMPLAINTS OF WOMEN WITH MENTAL DISABILITIES: CONSENT, CAPACITY, AND MISTAKEN BELIEF Janine Benedet and Isabel Grant .....	52:243
HEARING THE SEXUAL ASSAULT COMPLAINTS OF WOMEN WITH MENTAL DISABILITIES: EVIDENTIARY AND PROCEDURAL ISSUES Janine Benedet and Isabel Grant .....	52:515
HÉRITAGE DE L'AFFAIRE <i>RONCARELLI C. DUPLESSIS</i> , 1959–2009, L' Geneviève Cartier .....	55:375
INTERLOCUTORY INJUNCTIONS: REVISITING THE THREE-PRONGED TEST .....	53:269
LAWS OF DESIRE: THE POLITICAL MORALITY OF PUBLIC SEX Elaine Craig .....	54:355
LEGAL AND EPIDEMIOLOGICAL JUSTIFICATION FOR FEDERAL AUTHORITY IN PUBLIC HEALTH EMERGENCIES, A Amir Attaran and Kumanan Wilson .....	52:381
LEGAL ORIGINS: RECONCILING LAW & FINANCE AND COMPARATIVE LAW Mathias M. Siems .....	52:55

LEGALITY AS REASON: DICEY, RAND, AND THE RULE OF LAW Mark D. Walters .....	55:563
<i>LOI SUR L'IMMUNITÉ DES ÉTATS CANADIENNE</i> ET LA TORTURE, LA François Larocque .....	55:81
LIVING UP TO RULES: HOLDING SOLDIERS RESPONSIBLE FOR ABUSIVE CONDUCT AND THE DILEMMA OF THE SUPERIOR ORDERS DEFENCE Martha Minow .....	52:1
METHOD AND FIT: TWO PROBLEMS FOR CONTEMPORARY PHILOSOPHIES OF TORT LAW William Lucy .....	52:605
MORAL PARADOX OF ADVERSE POSSESSION: SOVEREIGNTY AND REVOLUTION IN PROPERTY LAW, THE Larissa Katz .....	55:47
NO RIGHT (TO ORGANIZE) WITHOUT A REMEDY: EVIDENCE AND CONSEQUENCES OF THE FAILURE TO PROVIDE COMPENSATORY REMEDIES FOR UNFAIR LABOUR PRACTICES IN BRITISH COLUMBIA Sara Slinn .....	53:687
NON-UNIVERSALITÉ, ILLÉGITIMITÉ ET SURCOMPLEXITÉ DES DROITS ÉCONOMIQUES ET SOCIAUX ? DES PRÉOCCUPATIONS LÉGITIMES MAIS HYPERTROPHIÉES : REGARD SUR LA JURISPRUDENCE CANADIENNE ET SUD-AFRICAINE David Robitaille .....	53:243
ORIGINAL FACTS: SKILL, JUDGMENT, AND THE PUBLIC DOMAIN Teresa Scassa .....	51:253
PATROLLING THE BORDERS OF SEXUAL ORIENTATION: BISEXUAL REFUGEE CLAIMS IN CANADA Sean Rehaag .....	53:59
POSSIBILITY OF "INFERENCE CAUSATION": INFERRING CAUSE-IN-FACT AND THE NATURE OF LEGAL FACT-FINDING, THE Russell Brown .....	55:1

POUR QUE LA TEMPÊTE NE S'ÉTENDE JAMAIS HORS DU VERRE D'EAU : RÉFLEXIONS SUR LA PROTECTION DES CONVICTIONS RELIGIEUSES AU CANADA Louis-Philippe Lampron .....	55:743
PRE-DISPUTE CONSUMER ARBITRATION CLAUSES: DENYING ACCESS TO JUSTICE? Jonnette Watson Hamilton.....	51:693
PRÉFACE Geneviève Cartier.....	55:i
PRINCIPLES-BASED SECURITIES REGULATION IN THE WAKE OF THE GLOBAL FINANCIAL CRISIS Cristie Ford .....	55:257
PRIVACY AND PRIVATE LAW: THE DILEMMA OF JUSTICTION Lisa M. Austin .....	55:165
PROGRESSION DES DROITS LINGUISTIQUES AU NOUVEAU-BRUNSWICK DANS UNE PERSPECTIVE HISTORIQUE GLOBALE, LA Gaétan Migneault.....	52:83
PROPOSITIONS DE RÉFORME POUR UNE PROTECTION DES TITULAIRES DE CARTES DE DÉBIT VICTIMES DE TRANSFERTS DE FONDS NON AUTORISÉS Marc Lacoursière.....	54:91
PUBLIC/PRIVATE DISTINCTION IN <i>RONCARELLI V. DUPLESSIS</i> , THE Derek McKee .....	55:461
RAND'S LEGAL REPUBLICANISM David Dyzenhaus .....	55:491
RAPPORTS ENTRE LE DROIT ADMINISTRATIF ET LES DROITS ET LIBERTÉS : LA RÉVISION JUDICIAIRE OU LE CONTRÔLE CONSTITUTIONNEL ?, LES Stéphane Bernatchez .....	55:641
REGULATING GREENHOUSE GASES IN CANADA: CONSTITUTIONAL AND POLICY DIMENSIONS Shi-Ling Hsu and Robin Elliot .....	54:463



REGULATING IMPARTIALITY: ELECTORAL- BOUNDARY POLITICS IN THE ADMINISTRATIVE ARENA Ron Levy .....	53:1
RESPONSABILITÉ DE LA SOCIÉTÉ DE CLASSIFICATION EN DROIT MARITIME CANADIEN, LA André Braën.....	52:495
RESPONSIBILITY FOR ANOTHER'S DEBT: SURETYSHIP, SOLIDARITY, AND IMPERFECT DELEGATION Michelle Cumyn.....	55:211
RETHINKING CRIMINAL RESPONSIBILITY FOR POOR OFFENDERS: CHOICE, MONSTROSITY, AND THE LOGIC OF PRACTICE Marie-Eve Sylvestre.....	55:771
RETHINKING THE RELATIONSHIP BETWEEN INTERNATIONAL AND DOMESTIC LAW Armand de Mestral and Evan Fox-Decent.....	53:573
<i>RONCARELLI'S</i> GREEN CARD: THE ROLE OF CITIZENSHIP IN RANDIAN CONSTITUTIONALISM Matthew Lewans .....	55:537
<i>RONCARELLI V. DUPLESSIS</i> AND DAMAGES FOR ABUSE OF POWER: FOR WHAT DID IT STAND IN 1959 AND FOR WHAT DOES IT STAND IN 2009? David Mullan .....	55:587
SOME AUSTRALIAN REFLECTIONS ON <i>RONCARELLI V. DUPLESSIS</i> Mark Aronson .....	55:615
STANDING APART: SEPARATE CONCURRENCE AND THE MODERN SUPREME COURT OF CANADA, 1984-2006 Peter McCormick.....	53:137
STANDING AT THE DIVIDE: THE RELATIONSHIP BETWEEN ADMINISTRATIVE LAW AND THE <i>CHARTER POST-MULTANI</i> Susan L. Gratton .....	53:477
SURVEILLANCE DU COURIER ÉLECTRONIQUE EN MILIEU DE TRAVAIL: LE QUÉBEC SUCCOMBERA-T'IL À L'INFLUENCE DE L'APPROCHE AMÉRICAINE ?, LA Karen Eltis.....	51:475

SYSTÈMES DE GESTION ENVIRONNEMENTALE AU CANADA : ENJEUX ET IMPLICATIONS POUR LES POLITIQUES PUBLIQUES DE L'ENVIRONNEMENT, LES Paule Halley et Olivier Boiral .....	53:649
“TELL ME WHERE IT HURTS”: WORKPLACE SEXUAL HARASSMENT COMPENSATION AND THE REGULATION OF HYSTERICAL VICTIMS Finn Makela.....	51:27
UNFINISHED PROJECT OF <i>RONCARELLI V.</i> <i>DUPLESSIS</i> : JUSTICIABILITY, DISCRETION, AND THE LIMITS OF THE RULE OF LAW, THE Lorne Sossin.....	55:661
WAS DUPLESSIS RIGHT? Roderick A. Macdonald .....	55:401
WITNESSING ARBITRARINESS: <i>RONCARELLI V.</i> <i>DUPLESSIS</i> FIFTY YEARS ON Mary Liston.....	55:689
YOU STILL KNOW NOTHIN' 'BOUT ME: TOWARD CROSS-CULTURAL THEORIZING OF ABORIGINAL RIGHTS Dwight G. Newman.....	52:725

**CASE COMMENT—AUTHOR  
CHRONIQUE DE JURISPRUDENCE—AUTEUR**

COUSINS, MEL Health Care and Human Rights after <i>Auton</i> and <i>Chaoulli</i> .....	54:717
DAVIS, KEVIN E. Penalty Clauses through the Lens of Unconscionability Doctrine.....	55:151
GRANT, ISABEL Rethinking Risk: The Relevance of Condoms and Viral Load in HIV Nondisclosure Prosecutions .....	54:389
HUTCHINSON, CELESTE Case Comment on <i>R. v. Kapp</i> : An Analytical Framework for Section 25 of the <i>Charter</i> .....	52:173
LANGEVIN, LOUISE Liberté de choix et protection juridique des conjoints de fait en cas de rupture : difficile exercice de jonglerie .....	54:697

NICHOLLS, CHRISTOPHER C. Lock-Ups, Squeeze-Outs, and Canadian Takeover Bid Law: A Curious Interplay of Public and Private Interests.....	51:407
PRÉMONT, MARIE-CLAUDE L'affaire <i>Chaoulli</i> et le système de santé du Québec : cherchez l'erreur, cherchez la raison.....	51:167
SHEPPARD, CLAUDE-ARMAND <i>Roncarelli v. Duplessis</i> : Art. 1053 C.C. Revolutionized (Reprint).....	55:v
SPRYSK, CHRIS From Sham to Reality: Should a Wrong Be Taxed as a Right?.....	55:123
SYKES, KATIE Bambi Meets Godzilla: Children's and Parents' Rights in <i>Canadian Foundation for Children, Youth and the Law v. Canada</i> .....	51:131

**CASE COMMENT—TITLE  
CHRONIQUE DE JURISPRUDENCE—TITRE**

AFFAIRE <i>CHAOULLI</i> ET LE SYSTÈME DE SANTÉ DU QUÉBEC : CHERCHEZ L'ERREUR, CHERCHEZ LA RAISON, L' Marie-Claude Prémont.....	51:167
BAMBI MEETS GODZILLA: CHILDREN'S AND PARENTS' RIGHTS IN <i>CANADIAN FOUNDATION FOR CHILDREN, YOUTH AND THE LAW V. CANADA</i> Katie Sykes.....	51:131
CASE COMMENT ON <i>R. V. KAPP</i> : AN ANALYTICAL FRAMEWORK FOR SECTION 25 OF THE <i>CHARTER</i> Celeste Hutchinson.....	52:173
FROM SHAM TO REALITY: SHOULD A WRONG BE TAXED AS A RIGHT? Chris Sprysak.....	55:123
HEALTH CARE AND HUMAN RIGHTS AFTER <i>AUTON</i> AND <i>CHAOULLI</i> Mel Cousins.....	54:717

LIBERTÉ DE CHOIX ET PROTECTION  
 JURIDIQUE DES CONJOINTS DE FAIT  
 EN CAS DE RUPTURE : DIFFICILE  
 EXERCICE DE JONGLERIE  
 Louise Langevin .....54:697

LOCK-UPS, SQUEEZE-OUTS, AND  
 CANADIAN TAKEOVER BID LAW:  
 A CURIOUS INTERPLAY OF PUBLIC  
 AND PRIVATE INTERESTS  
 Christopher C. Nicholls.....51:407

PENALTY CLAUSES THROUGH THE LENS  
 OF UNCONSCIONABILITY DOCTRINE  
 Kevin E. Davis .....55:151

RETHINKING RISK: THE RELEVANCE OF  
 CONDOMS AND VIRAL LOAD IN HIV  
 NONDISCLOSURE PROSECUTIONS  
 Isabel Grant .....54:389

*RONCARELLI V. DUPLESSIS*: ART. 1053 C.C.  
 REVOLUTIONIZED (REPRINT)  
 Claude-Armand Sheppard.....55:v

**REVIEW ESSAY—AUTHOR  
 CHRONIQUE DE DOCTRINE—AUTEUR**

VASUDEV, P.M.  
 Law, Economics, and Beyond: A Case for  
 Retheorizing the Business Corporation .....55:911

**REVIEW ESSAY—TITLE  
 CHRONIQUE DE DOCTRINE—TITRE**

LAW, ECONOMICS, AND BEYOND: A CASE  
 FOR RETHEORIZING THE BUSINESS  
 CORPORATION  
 P.M. Vasudev .....55:911

**TRAVAUX DE L'ASSOCIATION HENRI CAPITANT ~  
JOURNÉES LOUISIANAISES—AUTEURS**

<b>BILODEAU, JEAN-LUC</b> L'impact de la culture sur le crédit, les institutions de financement et le droit de la faillite : quelques réflexions sur le cas canadien.....	54:295
<b>JUTRAS, DANIEL</b> Culture et droit processuel : le cas du Québec .....	54:273
<b>MOORE, BENOÎT</b> Culture et droit de la famille : de l'institution à l'autonomie individuelle .....	54:257
<b>OTIS, GHISLAIN</b> La place des cultures juridiques et des langues autochtones dans les accords d'autonomie gouvernementale au Canada .....	54: 237
<b>POPOVICI, ADRIAN</b> Libres propos sur la culture juridique québécoise dans un monde qui rétrécit.....	54:223

**TRAVAUX DE L'ASSOCIATION HENRI CAPITANT ~  
JOURNÉES LOUISIANAISES—TITRES**

<b>CULTURE ET DROIT DE LA FAMILLE : DE L'INSTITUTION À L'AUTONOMIE INDIVIDUELLE</b> Benoît Moore.....	54:257
<b>CULTURE ET DROIT PROCESSUEL : LE CAS DU QUÉBEC</b> Daniel Jutras .....	54:273
<b>IMPACT DE LA CULTURE SUR LE CRÉDIT, LES INSTITUTIONS DE FINANCEMENT ET LE DROIT DE LA FAILLITE : QUELQUES RÉFLEXIONS SUR LE CAS CANADIEN, L'</b> Jean-Luc Bilodeau.....	54:295
<b>LIBRES PROPOS SUR LA CULTURE JURIDIQUE QUÉBÉCOISE DANS UN MONDE QUI RÉTRÉCIT</b> Adrian Popovici.....	54:223
<b>PLACE DES CULTURES JURIDIQUES ET DES LANGUES AUTOCHTONES DANS LES ACCORDS D'AUTONOMIE GOUVERNEMENTALE AU CANADA, LA</b> Ghislain Otis.....	54:237

**TRIBUTE—AUTHOR  
HOMMAGE—AUTEUR**

- CORDONIER SEGGER, M.C.  
Sustainability, Global Justice, and  
the Law: Contributions of the  
Hon. Justice Charles Doherty Gonthier .....55:337
- GÉLINAS, FABIEN  
Une justice fraternelle : éléments de la  
pensée de Charles Doherty Gonthier .....55:357
- MORIN, JACQUES-YVAN  
Charles Gonthier : l'homme derrière  
la juriste .....55:333

**TRIBUTE—TITLE  
HOMMAGE—TITRE**

- CHARLES GONTHIER : L'HOMME  
DERRIÈRE LA JURISTE  
Jacques-Yvan Morin.....55:333
- SUSTAINABILITY, GLOBAL JUSTICE,  
AND THE LAW: CONTRIBUTIONS OF  
THE HON. JUSTICE CHARLES DOHERTY  
GONTHIER  
M.C. Cordonier Segger .....55:337
- UNE JUSTICE FRATERNELLE :  
ÉLÉMENTS DE LA PENSÉE DE  
CHARLES DOHERTY GONTHIER.....55:357

**PERSPECTIVES—AUTHOR  
PERSPECTIVES—AUTEUR**

- BELLEY, JEAN-GUY  
Le rayonnement intellectuel de  
Jean Carbonnier au Québec : le  
succès d'estime d'un honnête  
homme .....54:407
- BERGER, BENJAMIN, L.  
Emotions and the Veil of Voluntarism:  
The Loss of Judgment in Canadian  
Criminal Defences .....51:99
- CASTEL, JEAN-GABRIEL  
The Uncertainty Factor in Canadian  
Private International Law .....52:555

LEBEL, L'HONORABLE LOUIS De <i>Dunsmuir</i> à <i>Khosa</i> .....	55:311
MOYSE, PIERRE-EMMANUEL <i>Kraft Canada c. Euro-Excellence</i> : <i>l'insoutenable légèreté du droit</i> .....	53:741
ROLLAND, LOUISE «Qui dit contractual, dit juste.» (Fouillée) ... en trois petits bonds, à reculons .....	51:765

**PERSPECTIVES—TITLE**  
**PERSPECTIVES—TITRE**

DE <i>DUNSMUIR</i> À <i>KHOSA</i> L'honorable Louis Lebel .....	55:311
EMOTIONS AND THE VEIL OF VOLUNTARISM: THE LOSS OF JUDGMENT IN CANADIAN CRIMINAL DEFENCES Benjamin L. Berger .....	51:99
<i>KRAFT CANADA C. EURO-EXCELLENCE</i> : L'INSOUTENABLE LÉGÈRETÉ DU DROIT Pierre-Emmanuel Moyse .....	53:741
«QUI DIT CONTRACTUAL, DIT JUSTE.» (FOUILLÉE) ... EN TROIS PETITS BONDS, À RECOLONS Louise Rolland .....	51:765
RAYONNEMENT INTELLECTUEL DE JEAN CARBONNIER AU QUÉBEC : LE SUCCÈS D'ESTIME D'UN HONNÊTE HOMME, LE Jean-Guy Belley .....	54:407
UNCERTAINTY FACTOR IN CANADIAN PRIVATE INTERNATIONAL LAW, THE Jean-Gabriel Castel .....	52:555
<b>MCGILL LAW JOURNAL ANNUAL LECTURE SERIES—AUTHOR</b> <b>CONFÉRENCE ANNUELLE DE LA REVUE DE DROIT DE MCGILL—AUTEUR</b>	
ABELLA, HON. ROSALIE SILBERMAN International Law and Human Rights: The Power and the Pity .....	55:871
D'ALPHOND, L'HONORABLE PIERRE J. La doctrine a-t-elle un avenir au Québec ? .....	53:517

GOMERY, JUSTICE JOHN H. The Pros and Cons of Commissions of Inquiry .....	51:783
MACKLEM, PATRICK What is International Human Rights Law? Three Applications of a Distributive Account .....	52:575
SAUL, JOHN RALSTON The Roots of Canadian Law in Canada .....	54:671
<b>McGILL LAW JOURNAL ANNUAL LECTURE SERIES—TITLE CONFÉRENCE ANNUELLE DE LA REVUE DE DROIT DE MCGILL—TITRE</b>	
DOCTRINE A-T-ELLE UN AVENIR AU QUÉBEC ?, LA L'honorable Pierre J. Dalphond .....	53:517
INTERNATIONAL LAW AND HUMAN RIGHTS: THE POWER AND THE PITY Hon. Rosalie Silberman Abella.....	55:871
PROS AND CONS OF COMMISSIONS OF INQUIRY, THE Justice John H. Gomery.....	51:783
ROOTS OF CANADIAN LAW IN CANADA, THE John Ralston Saul .....	54:671
WHAT IS INTERNATIONAL HUMAN RIGHTS LAW? THREE APPLICATIONS OF A DISTRIBUTIVE ACCOUNT Patrick Macklem .....	52:575
<b>CONFÉRENCE COMMÉMORATIVE JOHN E.C. BRIERLEY—AUTEUR JOHN E.C. BRIERLEY MEMORIAL LECTURE—AUTHOR</b>	
GAILLARD, EMMANUEL L'ordre juridique arbitral: réalité, utilité et spécificité .....	55:891
<b>CONFÉRENCE COMMÉMORATIVE JOHN E.C. BRIERLEY—TITRE JOHN E.C. BRIERLEY MEMORIAL LECTURE—TITLE</b>	
ORDRE JURIDIQUE ARBITRAL : RÉALITÉ, UTILITÉ ET SPÉCIFICITÉ, L' Emmanuel Gaillard.....	55:891



**CONFÉRENCE WAINWRIGHT—AUTEUR  
WAINWRIGHT LECTURE SERIES—AUTHOR**

CANTIN CUMYN, MADELEINE Le pouvoir juridique .....	52:215
GLENN, H. PATRICK À l'appui du pouvoir .....	52:237
KASIRER, NICHOLAS Présentation de la Conférence Wainwright 2006 .....	52:209
PALMER, VERNON VALENTINE Quebec and Her Sisters in the Third Legal Family .....	54:321

**CONFÉRENCE WAINWRIGHT—TITRE  
WAINWRIGHT LECTURE SERIES—TITLE**

À L'APPUI DU POUVOIR H. Patrick Glenn.....	52:237
POUVOIR JURIDIQUE, LE Madeleine Cantin Cumyn.....	52:215
PRÉSENTATION DE LA CONFÉRENCE WAINWRIGHT 2006 Nicholas Kasirer .....	52:209
QUEBEC AND HER SISTERS IN THE THIRD LEGAL FAMILY Vernon Valentine Palmer .....	54:321

**BOOK REVIEWS  
RECENSIONS COMPARATIVES**

BARSALOU, OLIVIER Recension de Emmanuelle Jouannet, Hélène Ruiz Fabri et Jean-Marc Sorel, dir., <i>Regards d'une génération de juristes sur le droit international</i> .....	55:967
DE CAMPOS LUDWIG, MARCOS ET FORGET, PATRICK Recension de Arnaldo Wald et Camille Jauffret-Spinosi, dir., <i>Le droit brésilien : hier, aujourd'hui et demain</i> .....	52:193

- KESSLER, TANYA AND ROBSON, RUTHANN  
 Unsettling Sexual Citizenship: Review of Brenda Cossman,  
*Sexual Citizens: The Legal and Cultural Regulation of Sex  
 and Belonging*.....53:535
- KOSTAL, R.W.  
 A Review of Robert J. Sharpe and Kent  
 Roach, *Brian Dickson: A Judge's Journey*.....51:199
- REYNAUD, JOSEPH  
 Recension de Hélène Piquet, *La Chine au  
 carrefour des traditions juridiques*.....51:601
- ROBSON, RUTHANN AND KESSLER, TANYA  
 Unsettling Sexual Citizenship: Review of Brenda Cossman,  
*Sexual Citizens: The Legal and Cultural Regulation of Sex  
 and Belonging*.....53:535

**BOOK NOTES  
 RECENSIONS SIMPLES**

- ANTAKI, MARK  
 Note on R.W. Kostal, *A Jurisprudence  
 of Power: Victorian Empire and the  
 Rule of Law* .....55:370
- BLACKETT, ADELLE  
 Note on Marie-Ange Moreau, *Normes  
 sociales, droit du travail et  
 mondialisation : Confrontations et  
 mutations* .....52:203
- GLENN, H. PATRICK  
 Note on Symeon C. Symeonides, *The  
 American Choice-of-Law Revolution  
 in the Courts: Today and Tomorrow* .....51:211
- HAFFNER, JOHN  
 Note on Georges Campeau, *From UI to EI:  
 Waging War on the Welfare State*, trans. by  
 Richard Howard.....51:431
- HISCOX, WENDY E.  
 Note on Jocelyn Downie, *Dying Justice:  
 A Case for Decriminalizing Euthanasia  
 and Assisted Suicide in Canada*.....51:801
- KRANE, JOSHUA A.  
 Note on Colleen Flood *et al.*, eds.,  
*Administrative Law in Context* .....54:215

LECLAIR, JEAN Note on G. Alan Tarr, Robert F. Williams, and Josef Marko, eds., <i>Federalism, Subnational Constitutions, and Minority Rights</i> .....	51:213
MACDONALD, RODERICK A. Note on G. Huscroft & M. Taggart, eds., <i>Inside and Outside Canadian Administrative Law: Essays in Honour of David Mullan</i> .....	52:206
SANDLER, HUGH Note on Law Commission of Canada, ed., <i>Law and Risk</i> .....	51:613
SHEPPARD, COLLEEN Note on Robert J. Sharpe and Patricia I. McMahon, <i>The Persons Case: The Origins and Legacy of the Fight for Legal Personhood</i> .....	53:367
TETLEY, WILLIAM Note on D. Rhidian Thomas, ed., <i>Legal Issues Relating to Time Charterparties</i> .....	55:367

**BOOKS RECEIVED  
LIVRES REÇUS**

Books Received Livres Reçus.....	51:807
Books Received Livres Reçus.....	52:793
Books Received Livres Reçus.....	53:801
Books Received Livres Reçus.....	54:741
Books Received Livres Reçus.....	55:975

**THESIS SURVEY  
RECENSION DES THÈSES**

Thesis Survey 2006 Recension des Thèses 2006.....	51:813
Thesis Survey 2007 Recension des Thèses 2007.....	52:801

Thesis Survey 2008	
Recension des Thèses 2008 .....	53:807
Thesis Survey 2009	
Recension des thèses 2009 .....	54:747
Thesis Survey 2010	
Recension des thèses 2010 .....	55:981

---