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Stopping linkrot in scholarship one citation at a time

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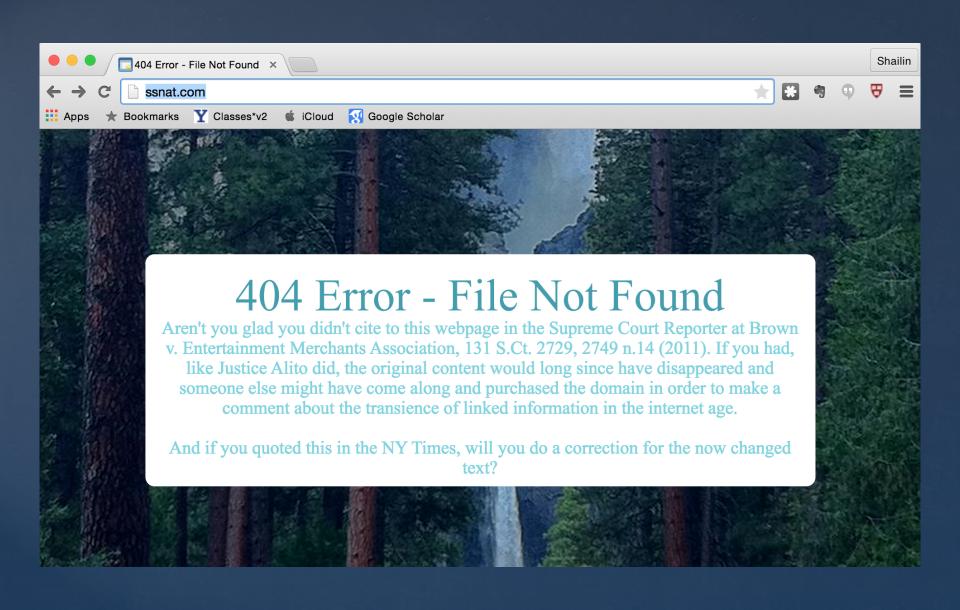
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## HARVARD LAW REVIEW

HARVARD LAW REVIEW FORUM

# Perma: Scoping and Addressing the Problem of Link and Reference Rot in Legal Citations

How to make legal scholarship more permanent



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viewability — to argue that NOVs are also subject to immediate judicial review.<sup>299</sup> Although it remains to be seen whether the argument gets any traction, it is by no means frivolous. Its acceptance would se-

ef of Petitioners Luminant ( ), Luminant Generation C Perma.cc/HX7J-JMHE

"'' d 713, 717 (4th Cir. 1990) (rejecting constiwere "not subject to . . . penalties until 1, 4, 21 U.S. § § 740-75/104 (2006 & '\*esponse, Compensation, and Lia-'re functionally similar schemes those schemes have likewise o) (CERCLA); Union Elec.

> g cert. to 610 F.3d 110. forcement, & Elliot J. junsel (Mar. 21, 2013). 'ERCLA. ins for CWA Enforce--General/Inside-EPA

-General/Inside-EPA nforcement/menu-id Director, EPA Water

, and Energy Future 694 (5th Cir. Jun. 12,



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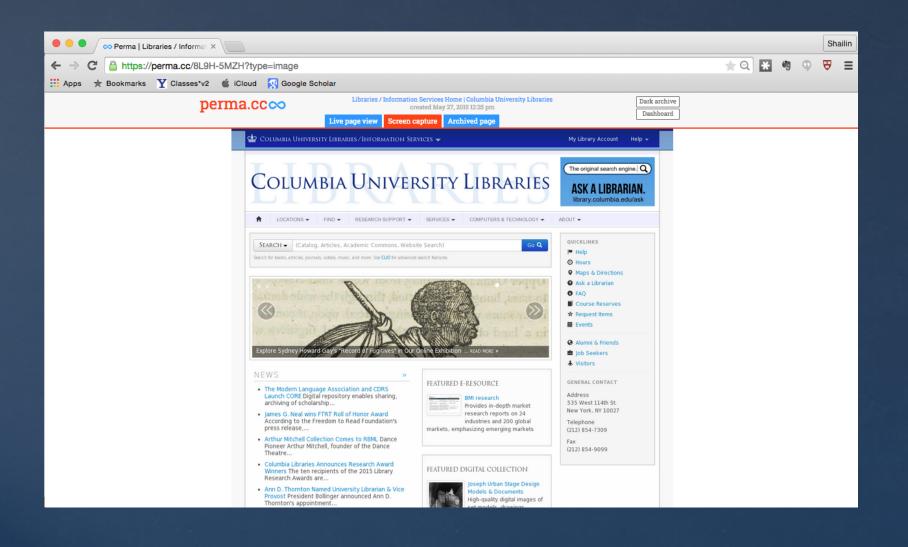
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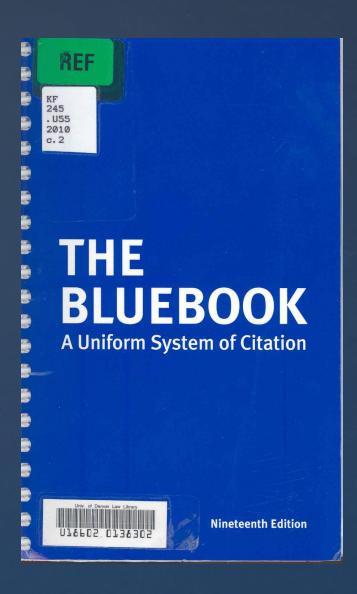
### III. FOREIGN RELATIONS LAW AS ORDINARY LAW

Perhaps the biggest concern about normalization is that treating foreign relations as akin to ordinary domestic law would undermine the important justifications for exceptionalism: expertise, speed, secrecy, flexibility, error costs, and the nature of the subject matter. In this Part, we evaluate these justifications and show that the case for exceptionalism is weak. Foreign affairs issues, it turns out, raise the same competing separation of powers values that arise in the domestic context, and the purported differences between foreign and domestic affairs are often overstated.

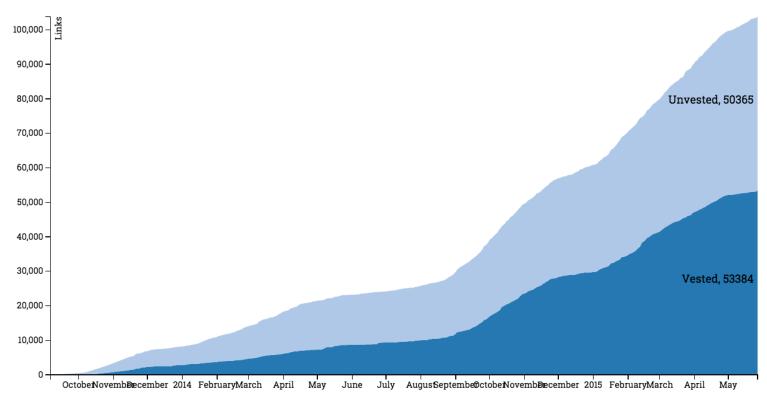
<sup>235</sup> See, e.g., Chimene Keitner, Kiobel Insta-Symposium: The ATS After Kiobel: Less Bark but More Bite?, OPINIO JURIS (Apr. 18, 2013, 12:27 AM), http://opiniojuris.org/2013/04/18/kiobel-insta-symposium-the-ats-after-kiobel-less-bark-but-more-bite [http://perma.cc/L346-NB92]; Peter Spiro, In Other Supreme Court News: Political Question Doctrine Takes a Hit in Jerusalem Pass-port Case, OPINIO JURIS (Mar. 26, 2012, 11:49 AM), http://opiniojuris.org/2012/03/26/in-other-supreme-court-news-political-question-doctrine-takes-a-hit-in-jerusalem-passport-case [http://perma.cc/77P4-MMQH]; Ernie Young, Medellín v. Texas: Another Set of Early Thoughts, OPINIO JURIS (Mar. 25, 2008, 4:36 PM), http://opiniojuris.org/2008/03/25/medellin-v-texas-another-set-of-early-thoughts [http://perma.cc/2TSP-R7BR].

Boumediene further instructs us to look at the political history of a location to understand how the United States might exercise control. Here, the control exercised in cross-border shootings reflects broader U.S. customs and border protection policies that expand U.S. control beyond the nation's territorial

International, Jan. 6, 2011, <a href="http://perma.cc/Q335-QL34">http://perma.cc/Q335-QL34</a> (reporting that a Border Patrol agent shot and killed Mexican national Ramses Barron Torres, 17, who was standing in Nogales, Mexico); Office of Public Affairs, Dep't of Justice, Federal Officials Close the Investigation into the Death of Ramses Barron-Torres, Aug. 9, 2013, <a href="http://perma.cc/6Z3U-4MWJ">http://perma.cc/6Z3U-4MWJ</a> (concluding that Barron-Torres was "on the Mexico side of the border fence when he was shot"); Office of Public Affairs, Dep't of Justice, Federal Officials Close the Investigation into the Death of Carlos LaMadrid, Aug. 9, 2013, <a href="http://perma.cc/H64L-AYD4">http://perma.cc/H64L-AYD4</a> (declining to prosecute Border Patrol agent who fired at individual across border shot and killed U.S. citizen Carlos Madrid, 19, who was in the line of fire); R. Stickney, ACLU Calls for Probe in Border Shooting, NBC San Diego, June 22, 2011, <a href="http://perma.cc/TMD5-EMAQ">http://perma.cc/TMD5-EMAQ</a> (reporting that Border Patrol agent shot and killed Mexican national Jose Alfredo Yanez Reyes on Mexican side of border fence near San Diego, California).

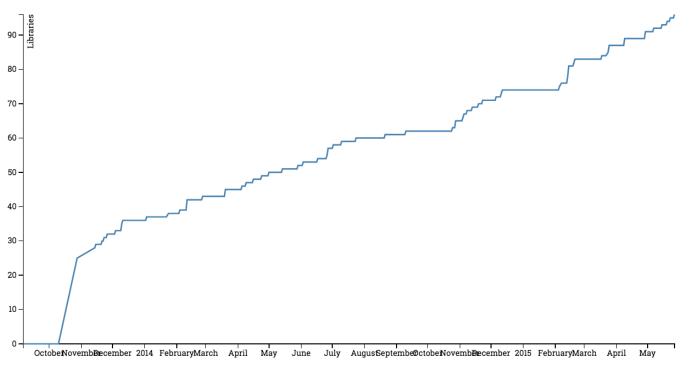


## The links



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## The libraries



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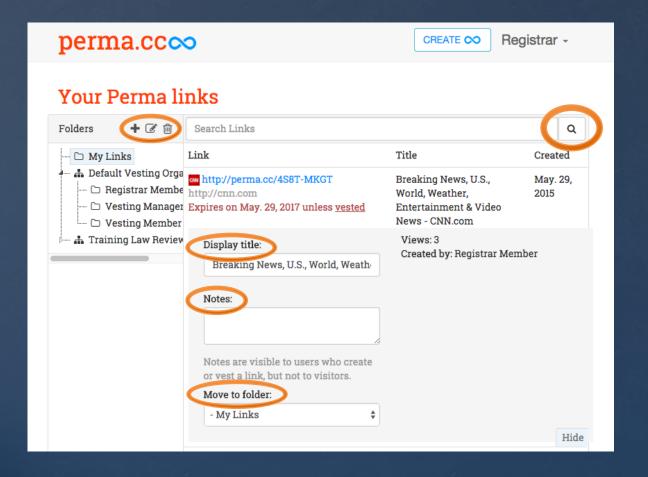


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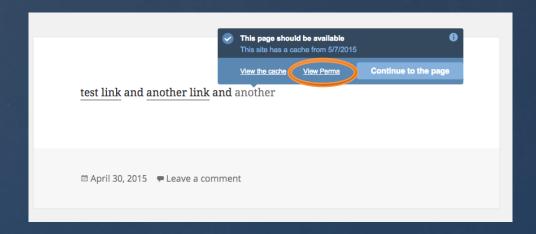


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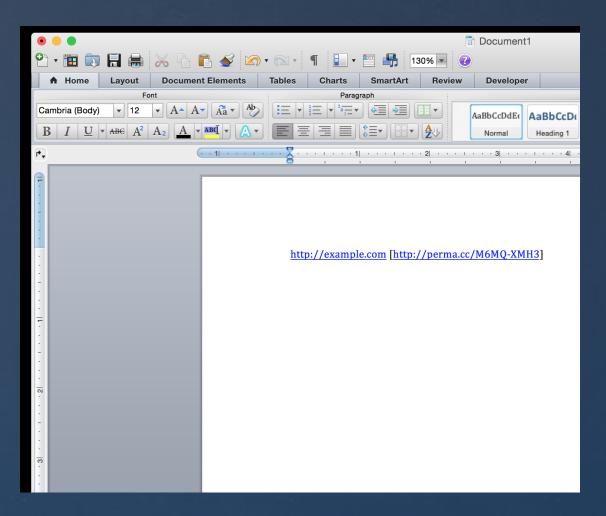




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You tell us.

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