## IEW YORK UNIVERSITY LAW REVIEW

Targeted Warfare: Individuating Enemy Responsibility Samuel Issacharoff & Richard H. Pildes

Convenient Facts:
Nken v. Holder, the Solicitor General,
and the Presentation of Internal Government Facts
Nancy Morawetz

Judges and Their Papers Kathryn A. Watts

Randomizing Immigration Enforcement: Exploring a New Fourth Amendment Regime Cynthia Benin

Toward a Bayesian Analysis of Recanted Eyewitness Identification Testimony Kristy L. Fields

U.S. Agency Independence and the Global Democracy Deficit Paul E. Hubble

Wrapped in Ambiguity:
Assessing the Expressiveness of Bareback Pornography
Christopher A. Ramos

Unscrambling the Egg:
Social Constructionism and the
Antireification Principle in Constitutional Law
Natasha J. Silber

Accounting for Punishment in Proportionality Review Julia L. Torti



## NEW YORK UNIVERSITY LAW REVIEW

November 2013 OLUME 88 Number 5 CONTENTS RTICLES TARGETED WARFARE: INDIVIDUATING ENEMY RESPONSIBILITY Samuel Issacharoff & Richard H. Pildes Convenient Facts: NKEN V. HOLDER, THE SOLICITOR GENERAL, AND THE PRESENTATION OF INTERNAL GOVERNMENT FACTS Nancy Morawetz 1600 JUDGES AND THEIR PAPERS Kathryn A. Watts 1665 OTES RANDOMIZING IMMIGRATION ENFORCEMENT: EXPLORING A NEW FOURTH AMENDMENT REGIME Cynthia Benin 1735 TOWARD A BAYESIAN ANALYSIS OF RECANTED EYEWITNESS IDENTIFICATION TESTIMONY Kristv L. Fields 1769 U.S. AGENCY INDEPENDENCE AND THE GLOBAL DEMOCRACY DEFICIT Paul E. Hubble 1802 Wrapped in Ambiguity: Assessing the EXPRESSIVENESS OF BAREBACK PORNOGRAPHY Christopher A. Ramos 1839 Unscrambling the Egg: Social Constructionism AND THE ANTIREIFICATION PRINCIPLE IN

Accounting for Punishment in Proportionality Review

Natasha J. Silber 1873

CONSTITUTIONAL LAW