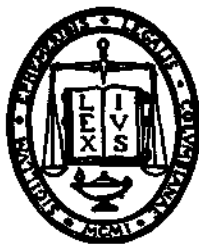


# COLUMBIA LAW REVIEW



## ARTICLES

CONSTITUTIONAL AVOIDANCE IN THE  
EXECUTIVE BRANCH

*Trevor W. Morrison*

CENTRALIZED OVERSIGHT OF THE  
REGULATORY STATE

*Nicholas Bagley  
Richard L. Revesz*

## NOTES

A CIVIL JURY IN CRIMINAL SENTENCING: *BLAKELY*,  
FINANCIAL PENALTIES, AND THE PUBLIC RIGHTS  
EXCEPTION TO THE SEVENTH AMENDMENT

PRESERVING THE CONSTITUTION'S MOST IMPORTANT  
HUMAN RIGHT: JUDICIAL REVIEW OF MIXED  
QUESTIONS UNDER THE REAL ID ACT

## ESSAY

THE USELESSNESS OF PUBLIC USE

*Abraham Bell  
Gideon Parchomovsky*

## BOOK REVIEW ESSAY

TOWARD A RULE OF LAW IN FOREIGN AFFAIRS

*Michael D. Ramsey*

# COLUMBIA LAW REVIEW

VOL. 106

OCTOBER 2006

NO. 6

## CONTENTS

### ARTICLES

- CONSTITUTIONAL AVOIDANCE IN THE  
EXECUTIVE BRANCH *Trevor W. Morrison* 1189
- CENTRALIZED OVERSIGHT OF THE  
REGULATORY STATE *Nicholas Bagley* 1260  
*Richard L. Revesz*

### NOTES

- A CIVIL JURY IN CRIMINAL SENTENCING:  
BLAKEY, FINANCIAL PENALTIES, AND  
THE PUBLIC RIGHTS EXCEPTION  
TO THE SEVENTH AMENDMENT *Grant R. Mainland* 1330
- PRESERVING THE CONSTITUTION'S  
MOST IMPORTANT HUMAN RIGHT:  
JUDICIAL REVIEW OF MIXED QUESTIONS  
UNDER THE REAL ID ACT *Aaron G. Leiderman* 1367

### ESSAY

- THE USELESSNESS OF PUBLIC USE *Abraham Bell* 1412  
*Gideon Parchomovsky*

### BOOK REVIEW ESSAY

- TOWARD A RULE OF LAW IN FOREIGN AFFAIRS *Michael D. Ramsey* 1450