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<p><b>Applying the Death Penalty to Crimes of Genocide</b></p> <p>When Rwanda reserved the right to execute genocidal criminals, many international lawyers objected, believing that the emerging norm of customary international law generally prohibiting the death penalty is categorical. Linking the death penalty's role in national reconciliation with the UN Charter's primary goal of restoring peace and security, this article argues that if this prohibition hardens into customary law, it should be sensitive to extreme circumstances such as genocide by not denying justice by local standards to its victims.</p>	<p><i>Jens David Ohlin</i></p> <p>747</p>
<p><b>Feminism and Its (Dis)contents: Criminalizing Wartime Rape in Bosnia and Herzegovina</b></p> <p>This article critically examines early feminist debates over the treatment of rape in Bosnia and Herzegovina, and traces their resonances in the structure and jurisprudence of the ICTY. Observing that problematic assumptions about ethnic identity and women's sexual and political agency emerged in the debates and ultimately wove their way into the ICTY's legal treatment of rape, the article argues that the international criminalization of rape might be neither as pathbreaking nor as progressive as the doctrinal recognition might suggest.</p>	<p><i>Karen Engle</i></p> <p>778</p>
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