NEBRASKA LAW REVIEW

EXECUTIVE BOARD

Editor-in-Chief
TAYLOR FRITSCH

Articles Editor
LINDSEY SCHMIDT

Reviewing Editor
KELSEY E.B. KNOER

Research Editor
ADAM KAUFFMAN

Executive Editors
ALISON JANECEK
JAMES KRITENBRINK

Online Editor
MICHAEL BLACKBURN

HALEY MESSERSCHMIDT

Managing Editor
ALYSSA STOKES

JEN RALPH

ERIC SYNOWICKI

COLTON WILLIAMS

MEMBERS

DAVID PONTIER
AMY SWEARER

CANDIDATE MEMBERS

SARAH APPLEGATE
JENNIFER ATWOOD
CHELSEA AVENT
SARAH BURGAUS
TAYLOR CAMMACK
KALLI DAVIS
ASHLEY DUGAN
A. MITCHELL FERRIS
MACKENZIE HERTZ

SYDNEY HINKLE
BUZZ KAPLAN
JARED KOCH
GREGG MORAN
BRITTNEY MORIARTY
MORGAN NELSON
KASEY OGLE
LORA WAECKERLE
JENNA WOITASZEWSKI

ASSISTANT

MARCY L. TINTERA

FACULTY ADVISOR

ROBERT F. SCHOPP
Steven J. Schmidt, B.S., M.A., J.D., Associate Professor of Law and Courtesy Associate Professor of Forensic Science
Robert F. Schopp, B.S., Ph.D., J.D., Ph.D., Robert J. Kutak Professor of Law, Professor of Law and Psychology, and Professor of Philosophy
Anthony B. Schutz, B.S., J.D., Associate Professor of Law
Anna Williams Shavers, B.S., M.S., J.D., Cline Williams Professor of Citizenship Law
Jessica A. Shoemaker, B.A., J.D., Assistant Professor of Law
John R. Snowden, B.A., J.D., Professor of Law Emeritus
Brett C. Stokes, B.A., M.P.P., J.D., Assistant Clinical Professor of Law and Cline Williams Director of the Entrepreneurship Legal Clinic
Ryan P. Sullivan, B.S., J.D., Assistant Clinical Professor of Law
Adam Thimmesch, B.S., J.D., Assistant Professor of Law
Anna Williams Shavers, B.S., M.S., J.D., Cline Williams Professor of Citizenship Law
Jessica A. Shoemaker, B.A., J.D., Assistant Professor of Law
John R. Snowden, B.A., J.D., Professor of Law Emeritus
Brett C. Stokes, B.A., M.P.P., J.D., Assistant Clinical Professor of Law and Cline Williams Director of the Entrepreneurship Legal Clinic
Ryan P. Sullivan, B.S., J.D., Assistant Clinical Professor of Law
Adam Thimmesch, B.S., J.D., Assistant Professor of Law
Alan J. Tomkins, B.A., M.A., Ph.D., Professor of Psychology and Law and Director of the University of Nebraska Public Policy Center
Dr. Frans von der Dunk, Ph.D., Harvey and Susan Perlman Alumni/Othmer Professor of Space Law
Richard L. Wiener, B.A., M.A., Ph.D., M.L.S., Charles Bessey Professor of Psychology and Courtesy Professor of Law
Steven L. Wellborn, B.A., M.S., J.D., Judge Harry A. Spencer Professor of Law
Catherine Lee Wilson, B.A., J.D., Associate Professor of Law
Maggie R. Wittlin, B.S., J.D., Assistant Professor of Law
Robert G. Works, A.B., J.D., Margaret R. Larson Professor of Insurance Law Emeritus
Sandra B. Zellmer, B.S., J.D., LL.M., Robert B. Daugherty Professor of Law
Laura L. Arp, B.A., J.D., Lecturer
Joel A. Bacon, B.A., J.D., Lecturer
Andre R. Barry, A.B., J.D., Lecturer
Stanton N. Beeder, B.J., J.D., Lecturer
Sheila Bentzen, B.A., J.D., Lecturer
Dennis Burnett, B.S., J.D., LL.M., Lecturer
Fred P. Campbell Jr., B.S., J.D., Lecturer
Bren H. Chambers, B.S., J.D., Lecturer
David C. Dirgo, B.A., J.D., Lecturer
Shannon L. Doering, B.A., J.D., Lecturer
Erlin L. Ebele, B.S., J.D., Lecturer
Elizabeth Elliot, B.S., J.D., Lecturer
Mark A. Fahleson, B.S., J.D., Lecturer
Stephen S. Gealy, B.A., M.A., J.D., Lecturer
The Honorable John M. Gerrard, B.S., J.D., Lecturer
Deborah R. Gilg, B.A., J.D., Lecturer
Laura R. Hegge, B.S., J.D., Lecturer
David A. Hubbard, B.S., J.D., Lecturer
Don R. Janssen, B.S., J.D., Lecturer
Jeff R. Kirkpatrick, B.A., B.S., J.D., Lecturer
Daniel E. Klaus, B.A., J.D., Lecturer
David M. Landis, B.A., J.D., M.P.A., Lecturer
Jane F. Langan Mach, B.A., J.D., Lecturer
Timothy L. Moll, B.A., J.D., Lecturer
Kathryn A. Olson, B.A., J.D., Lecturer
William Olson Jr., B.A., J.D., Lecturer
Allen L. Overcash, B.S., B.A., LL.B., Lecturer
Ross Pesek, A.A., B.S., J.D., Lecturer
Audrey A. Polt, B.A., J.D., Lecturer
Francisca O. Schroeder, B.A., J.D., Lecturer
A. Christal Sheppard, B.S., M.S., Ph.D., J.D., Lecturer
Gary L. Young, B.A., A.M., J.D., Lecturer
Walter Zink II, B.A.Ed., J.D., Lecturer
The Honorable Cheryl R. Zwart, B.S., J.D., Lecturer

Marcy L. Tintera, Assistant to the Law Review
TABLE OF CONTENTS

Articles

Rethinking Counterterrorism in the Age of ISIS: Lessons from Sinai
Sahar F. Aziz 307

Separation of Powers and the Class Action
Mark Moller 366

The Economic Characteristics of Indigenous Property Rights: A Canadian Case Study
Dwight Newman 432

Registration, Fairness, and General Jurisdiction
Jack B. Harrison 477

Note

You Can't Take My Land!
Is Thompson v. Heineman, 289 Neb. 798, 857 N.W.2d 731 (2015), Transformative Law or a Political Anomaly?
Adam W. Kauffman 548

Comment

Slavery in the Name of Tolerance:
Whether an International Legal Obligation Exists to Criminalize Prostitution
Braden W. Storer 574