

not the prior judicial interpretation that is not consistent with such provision.

*Section Two.* This Act shall not be construed to repeal or alter any statute prescribing the jurisdiction of any court of the United States; to invalidate or reopen any final judgment or decree rendered in any case or controversy by any court; to authorize denial of full faith and credit to final judgments validly rendered by a court of competent jurisdiction; or to alter any lawful obligation of inferior federal courts to follow the prior judicial interpretations of the law rendered by the United States Supreme Court and, where applicable, by the U.S. Court of Appeals that possesses authority to review on appeal the decisions of such inferior court.

*Section Three.* If any part of this Act or application of this Act is held unconstitutional, all remaining parts and valid applications shall be considered severable. Any judicial decision holding any part of this Act or application of this Act unconstitutional shall be subject to the requirements of this Act in any subsequent case or controversy in which the constitutionality of any part of this Act or application of this Act is drawn in question.

Or for those who prefer plain English:

The judicial policy of stare decisis, to the extent not constitutionally mandated, is hereby abrogated in federal cases as to issues of federal constitutional, statutory, or treaty interpretation.

Michael Stokes Paulsen, *Abrogating Stare Decisis by Statute: May Congress Remove the Precedential Effect of Roe and Casey?*, 109 Yale L.J. 1535 (2000).

## EARLY DISABILITY PROTECTION

THE AMERICANS WITH Disabilities Act often is cited as an indicator of our nation's new-found concern for the disabled. But the United States Code contains some evidence that the special needs of the disabled have concerned Congress since the 1950s, at least. Consider Title 15, Chapter 29 – Manufacture, Transportation,

or Distribution of Switchblade Knives:

Section 1243: Whoever within any Territory or possession of the United States ... manufactures, sells or possesses any switchblade knife, shall be fined not more than \$2000 or imprisoned not more than five years.

Section 1244: Section ... 1243 of this title shall not apply to - ... (4) the possession and transportation upon his person, of any switchblade knife with a blade three inches or less by any individual who has only one arm.

Perhaps the idea was to give one-armed combatants a fighting chance, or more plausibly if prosaically, to enable someone with one arm to do most of the things with a pocketknife that are possible for someone with two arms. There are no clues in the legislative history.

Pub. L. 85-623, §§ 3, 4, Aug. 12, 1958, 72 Stat. 562.

## A CONVENIENT POCKET SIZE

THIS IS A BIG YEAR for the useful and much-maligned *Bluebook*. It marks the appearance of the seventeenth edition, and of *The Bluebook: A Sixty-Five Year Retrospective*, W.S. Hein's compilation of the first through fifteenth editions. The Hein compilation also includes material that casts some doubt on the conventional wisdom that the *Harvard Law Review* is the birthplace of the *Bluebook*. In its February 1955 promotional blurb for the ninth edition of the *Bluebook*, the *Law Review* offered the fullest public expression of its own views on the subject:

A reader with an eye for the minute and a technical turn of mind may spot a few citations in this issue whose forms are a trifle irregular. They will, we trust, soon lose their novelty. For it is with this issue that the *Review* adopts the citation forms prescribed by the ninth edition of *A Uniform System of Citation*, which has just been published.

Colloquially known as the "Blue Book," from its cover which in recent years has ranged from calamine to ultra-marine, the publication dates