

Book Notes*

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*Book Notes are adapted from promotional material provided by the publishers.

CONSTITUTIONAL THEORY AND HISTORY

Graber, Mark A. 2013. *A New Introduction to American Constitutionalism*. New York: Oxford University Press. Pp. xii + 292. \$35.00 cloth.

Relying on an historical/institutional perspective, Graber illustrates how US constitutionalism is a distinct form of politics, rather than a means of separating politics from law. He argues that constitutions primarily work by constructing and constituting politics: for example, people debate the proper meaning of the First Amendment, but these debates are influenced by the rule that all states are equally represented in the Senate and a political culture in which political dissenters do not fear for their lives.

Zackin, Emily. 2013. *Looking for Rights in All the Wrong Places: Why State Constitutions Contain America's Positive Rights*. Princeton, NJ: Princeton University Press. Pp. ix + 234. \$29.95 paper.

US constitutional rights are generally seen as protecting citizens from an overbearing government but giving no explicit guarantees of governmental help; however, Zackin argues that the United States actually has a long history of enshrining positive rights in state constitutional law. She finds that state constitutions have been sites of serious debate, and she looks in depth at the history of education, labor, and environmental reform to examine why America's activists targeted state constitutions in their struggles for government protection.

CRIMINAL JUSTICE AND SOCIAL CONTROL

Cai, Yongshun. 2015. *State and Agents in China: Disciplining Government Officials*. Stanford, CA: Stanford University Press. Pp. xii + 252. \$90.00 cloth; \$27.95 paper.

Cai examines the discipline of Chinese officials for a duty-related malfeasance or criminal activity. The study finds that the effectiveness of punishment does not depend so much on the party-state's capacity to detect and punish, but on the threat it creates. It also finds that relaxed discipline allows reform-minded officials to use rule-violating reform measures to address local problems, and that these reform measures have significant implications for the regime's resilience.

Cao, Liqun, Lanying Huang, and Ivan Y. Sun. 2014. *Policing in Taiwan: From Authoritarianism to Democracy*. New York: Routledge/Taylor and Francis. Pp. xvii + 188. \$155.00 cloth.

Cao, Huang, and Sun examine the role of police in the largely peaceful transition from an authoritarian regime to a democracy in Taiwan. They find that while the temptation to intervene in domestic politics was great, the top-down pressure to maintain a neutral standing facilitated an orderly regime change.

Donoghue, Jane. 2014. *Transforming Criminal Justice? Problem-Solving and Court Specialisation*. New York: Routledge/Taylor and Francis. Pp. xxiii + 168. \$155.00 cloth.

Drawing on detailed interviews with judges, magistrates, and other key criminal justice professionals in England and Wales, as well as analysis of legislative and policy interventions, Donoghue discusses the impact of the creation and development of court specialization—including domestic violence courts, drugs courts, community courts, and mental health courts—and problem-solving justice.

Garrett, Brandon L. 2014. *Too Big to Jail: How Prosecutors Compromise with Corporations*. Cambridge, MA: Belknap Press of Harvard University Press. Pp. 365. \$29.95 cloth.

Presenting detailed data from more than a decade of federal cases in the United States, Garrett outlines a pattern of negotiation and settlement in which prosecutors demand admissions of wrongdoing, impose penalties, and require structural reforms when major corporations are accused of crimes. However, those reforms are usually vaguely defined, blockbuster payments are often greatly reduced, and high-level employees tend to get off without penalty.

Gottschalk, Marie. 2015. *Caught: The Prison State and the Lockdown of American Politics*. Princeton, NJ: Princeton University Press. Pp. xiv + 474. \$35.00 cloth.

Gottschalk critically examines why the carceral state remains tenacious in the United States. She analyzes the shortcomings of the two dominant penal reform strategies—one focused on addressing racial disparities, the other on seeking bipartisan, race-neutral solutions centered on reentry, justice reinvestment, and reducing recidivism—and proposes an alternate vision.

Hood, Roger, and Surya Deva, eds. 2013. *Confronting Capital Punishment in Asia: Human Rights, Politics, and Public Opinion*. New York: Oxford University Press. Pp. xiv + 321. \$110.00 cloth.

Contributors to Hood and Deva's volume identify Asia as being particularly unaffected by international pressures to abolish capital punishment or at least uphold minimum international standards protecting the rights of people accused of capital crimes. Essays provide an analysis of changes in the scope and application of the death penalty in Asian countries.

Levy, Jay. 2015. *Criminalising the Purchase of Sex: Lessons from Sweden*. New York: Routledge/Taylor and Francis. Pp. xv + 253. \$135.00 cloth.

In an attempt to abolish prostitution, Sweden criminalized the purchase of sex in 1999, while simultaneously decriminalizing its sale. Drawing on qualitative interviews, participant observation, and secondary sources, Levy argues that the Swedish approach has had many detrimental impacts and has failed to demonstrably decrease levels of prostitution.

Lord, Nicholas. 2014. *Regulating Corporate Bribery in International Business: Anti-Corruption in the UK and Germany*. Burlington, VT: Ashgate Publishing Co. Pp. x + 202. \$109.95 cloth.

Lord draws on concepts from regulation theory and on empirical research to examine the emerging enforcement, self-regulatory, and hybrid responses to transnational corporate bribery. He finds that despite significant cultural differences between the jurisdictions, UK and German anticorruption authorities face procedural, evidential, legal, financial, and structural difficulties that are leading to convergence in prosecution policies. He concludes that the default position is one of accommodation by state agencies, even where the will to enforce the law is high.

Pliley, Jessica R. 2014. *Policing Sexuality: The Mann Act and the Making of the FBI*. Cambridge, MA: Harvard University Press. Pp. 293. \$29.95 cloth.

America's first federal anti-sex trafficking law, the 1910 Mann Act, made it illegal to transport women over state lines for prostitution "or any other immoral purpose." It was meant to protect women and girls but, Pliley argues, its enforcement resulted more often in the policing of women's sexual behavior. By citing its mandate to halt illicit sexuality, the fledgling FBI gained entry not only into brothels but also into private bedrooms—where it intervened in domestic squabbles on behalf of men—and justified its own expansion from just a few dozen agents.

Tonry, Michael, ed. 2013. *Crime and Justice in America, 1975–2025: Volume 42*. Chicago, IL: University of Chicago Press. Pp. x + 544. \$90.00 cloth.

Contributors to Tonry's collection start from the position that 1975 was a pivotal year for the US criminal justice system: offender rehabilitation and individualized sentencing fell from favor, shifting the focus to "law and order"; policymakers' interest in science declined even as scientific work on crime, recidivism, and the justice system began to blossom; and some policy areas became "evidence-free zones."

Tuerkheimer, Deborah. 2014. *Flawed Convictions: "Shaken Baby Syndrome" and the Inertia of Injustice*. New York: Oxford University Press. Pp. xiv + 298. \$39.95 cloth.

Tuerkheimer examines the scientific, cultural, and legal history of Shaken Baby Syndrome in the United States, from its inception to formal dissolution. She finds extraordinary failings in the criminal justice system's treatment of what is, in essence, a medical diagnosis of murder—the inference of causality from medical findings, and the imputation that the last person with the baby was responsible for the baby's condition. She argues that recent developments in scientific knowledge show that the theory that prosecutors have long relied on is incorrect.

EQUALITY UNDER LAW

Galanter, Marc. 2014. *Why the Haves Come Out Ahead: The Classic Essay and New Observations*. New Orleans, LA: Quid Pro Books. Pp. xii + 143. \$22.99 paper.

This volume commemorates the fortieth anniversary of Galanter's classic article, "Why the Haves Come Out Ahead," by reprinting the article and its sequel, "Planet of the APs." The volume includes a substantial commentary by Galanter, a foreword by Shauhin Talesh, and an extensive afterword by Robert Gordon.

FEMINIST LEGAL THEORY

Douglas, Heather, Francesca Bartlett, Trish Luker, and Rosemary Hunter, eds. 2014. *Australian Feminist Judgments: Righting and Rewriting Law*. Portland, OR: Hart Publishing. Pp. xxx + 462. \$70.00 paper.

Douglas, Bartlett, Luker, and Hunter's collection brings together feminist academics and lawyers to present a collection of alternative judgments in a series of Australian legal cases. By reimagining original legal decisions through a feminist lens, the collection seeks to explore the possibilities, limits, and implications of feminist approaches to legal decision making. Each case is accompanied by a brief commentary that places it in legal and historical context and explains what the feminist rewriting does differently from the original case.

FREEDOM OF THE PRESS

Gajda, Amy. 2015. *The First Amendment Bubble: How Privacy and Paparazzi Threaten a Free Press*. Cambridge, MA: Harvard University Press. Pp. x + 302. \$35.00 cloth.

Gajda argues that the growth of the Internet and the resulting market pressures on traditional journalism have made it ever harder to distinguish public from private, news from titillation, journalists from provocateurs. She finds that US courts are increasingly willing to emphasize the protection of individuals from invasive media scrutiny, with the collateral consequence that conventional news is coming under more restraint.

HISTORY OF LEGAL THOUGHT

Hovenkamp, Herbert. 2014. *The Opening of American Law: Neoclassical Legal Thought 1870–1970*. New York: Oxford University Press. Pp. viii + 460. \$49.95 cloth.

Hovenkamp argues that historians have generally exaggerated the role of Darwinism in US legal thought, while understating the role of marginalist economics, and he explores these issues in the context of a variety of legal contexts. He finds, for example, that while Darwinian science dominated the law of race relations, criminal law reflected an inconsistent mixture of Darwinian and marginalist incentive-based theories. Chapters on the corporation, innovation, and competition policy conclude that marginalist economics transformed business policy.

HUMAN RIGHTS

Posner, Eric. 2014. *The Twilight of Human Rights Law*. New York: Oxford University Press. Pp. x + 185. \$21.95 cloth.

Posner argues that purposefully unenforceable human rights treaties are at the heart of the world's failure to address human rights violations. Because countries fundamentally disagree about what the public good requires and how governments should allocate limited resources, they have established a regime that churns out new rights but cannot enforce any of them. He concludes that compliance should be judged by comprehensive, concrete metrics like poverty reduction, rather than by ambiguous and easily manipulated checklists of specific rights.

Roberts, Christopher N. J. 2015. *The Contentious History of the International Bill of Human Rights*. New York: Cambridge University Press. Pp. xiv + 237. \$32.99 paper.

Roberts traces the conflict over the meaning of human rights back to the inception of the concept and argues that more than a half-century ago, a series of contradictions worked their way into the International Bill of Human Rights, the foundation of the modern system of human rights. By viewing human rights as representations of human relations that emerge from struggle, he seeks to chart a new path into the subject and to offer a methodology for rigorous empirical study.

JUDICIAL POWER AND DECISION MAKING

Dothan, Shai. 2014. *Reputation and Judicial Tactics: A Theory of National and International Courts*. New York: Cambridge University Press. Pp. xiv + 336. \$99.00 cloth.

Dothan argues that national and international courts seek to enhance their reputations through the strategic exercise of judicial power. Courts often cannot enforce their judgments and must rely on reputational sanctions to ensure compliance. One way to do this is for courts to strategically act in ways that improve their reputation for generating compliance with their judgments.

Keck, Thomas M. 2015. *Judicial Politics in Polarized Times*. Chicago, IL: University of Chicago Press. Pp. xii + 361. \$27.50 paper.

Drawing on a sweeping survey of litigation on abortion, affirmative action, gay rights, and gun rights across the Clinton, Bush, and Obama eras, Keck argues that, despite judges' claims, actual legal decisions are not the politically neutral products of disembodied legal texts. But neither are judges "tyrants in robes," undermining democratic values by imposing their own

preferences. Ultimately, Keck concludes, judges respond not simply as umpires, activists, or political actors, but in light of distinctive judicial values and practices.

Whitehead, Jason E. 2014. *Judging Judges: Values and the Rule of Law*. Waco, TX: Baylor University Press. Pp. xv + 237. \$49.95 cloth.

Whitehead argues that the rule of law depends on a socially constructed attitude of legal obligation. Drawing on interviews of twenty-four state and federal appellate judges in the United States, he examines the social practices undergirding the value systems that uphold or undermine the attitude of legal obligation central to the rule of law and concludes that the rule of law is ultimately a matter of social trust rather than textual constraints.

JUDICIAL SELECTION

Brawn, Dale. 2014. *Paths to the Bench: The Judicial Appointment Process in Manitoba, 1870–1950*. Vancouver, BC: UBC Press. Pp. x + 296. \$35.95 paper.

Brawn examines the political nature of Canada's judicial appointment process for the period 1870–1950 and argues that it was relationships with influential mentors and communities that ensured appointments and, ultimately, propelled careers.

Hall, Melinda Gann. 2015. *Attacking Judges: How Campaign Advertising Influences State Supreme Court Elections*. Stanford, CA: Stanford University Press. Pp. xvi + 244. \$90.00 cloth; \$27.95 paper.

Hall investigates whether divisive US state supreme court elections have damaging consequences for representative democracy. She focuses on two aspects: the vote shares of justices seeking reelection and the propensity of state electorates to vote. Her empirical findings challenge the conventional wisdom that campaign politics has deleterious consequences for judges, voters, and state judiciaries.

LAW AND CIVILITY

Sarat, Austin, ed. 2014. *Civility, Legality, and Justice in America*. New York: Cambridge University Press. Pp. xi + 166. \$80.00 cloth; \$29.99 paper.

Contributors to Sarat's volume examine the uses of civility in US legal and political discourse, addressing such questions as: How important is civility as a legal and political virtue? How does it fare when it is juxtaposed with the claim that it masks injustice? Who advocates civility and to what effect? How are battles over civility played out in legal and political arenas?

LAW AND ECONOMIC DEVELOPMENT

Xu, Guangdong. 2014. *Does Law Matter for Economic Growth? A Re-Examination of the "Legal Origin" Hypothesis*. Portland, OR: Intersentia. Pp. xiii + 212. \$94.00 paper.

This book critiques the work of a group of authors, known as LLSV, who have argued that there is a close connection between the character of a country's legal system and its potential for economic growth. Xu presents new empirical evidence on a variety of related topics and concludes that the extent to which law matters for economic growth is affected by political, legal, economic, and social variables, which influence one another and evolve together over time.

LAW AND ECONOMICS

Bernstein, Lisa, and Francesco Parisi, eds. 2014. *Customary Law and Economics*. Northampton, MA: Edward Elgar. Pp. xv + 761. \$370.00 cloth.

Contributors to Bernstein and Parisi's volume on customary law present various perspectives on the history of customary law, consider commercial customary law—including a number of case studies on the role and limits of customary systems—and explore the role of custom in international law from a variety of legal and economic perspectives.

LAW AND FAMILY RELATIONSHIPS

Ertman, Martha M. 2015. *Love's Promises: How Formal and Informal Contracts Shape All Kinds of Families*. Boston, MA: Beacon Press. Pp. xxv + 239. \$26.95 cloth.

Ertman considers legal cases, anecdotes, and the history of family law to show that love comes in different packages—each shaped by different contracts—which family law should and sometimes does recognize. These contractual arrangements can be big, like vows of fidelity, or small, like “I cook and you clean.” But regardless of scope, they can create, sustain, and modify family relationships.

LAW AND THE HOLOCAUST

Bazyler, Michael J., and Frank M. Tuerkheimer. 2014. *Forgotten Trials of the Holocaust*. New York: New York University Press. Pp. x + 374. \$45.00 cloth.

Bazyler and Tuerkheimer examine ten of the many “forgotten trials” of the Holocaust, showing how perpetrators of the Holocaust were dealt with in courtrooms around the world—in the former Soviet Union, the United Kingdom, Israel, France, Poland, the United States, and Germany—revealing how different legal systems responded. The volume covers a variety of trials—of high-ranking statesmen and minor foot soldiers, of male and female concentration camps guards, and even trials in Israel of Jewish Kapos—to provide a global picture of the efforts to bring perpetrators of the Holocaust to justice.

LAW AND INDIGENOUS PEOPLES

Anker, Kirsten. 2014. *Declarations of Interdependence: A Legal Pluralist Approach to Indigenous Rights*. Burlington, VT: Ashgate Publishing Company. Pp. viii + 237. \$124.95 cloth.

Drawing on case studies and examples principally from Australia and Canada, Anker examines state law in the context of indigenous rights, drawing on legal theory and a wide array of other disciplines. She seeks to advance legal pluralist approaches not just by imagining a way to “make space for” indigenous legal traditions, but by working with their insights in building theory.

Tuori, Kaius. 2015. *Lawyers and Savages: Ancient History and Legal Realism in the Making of Legal Anthropology*. New York: Routledge/Taylor and Francis. Pp. viii + 224. \$135.00 cloth.

Tuori explores the rise and fall of legal primitivism and its connection to the colonial encounter through examples such as blood feuds, communalism, ordeals, ritual formalism, and polygamy. Detailing how legal realism drew on anthropology in order to help counter the hypothetical constructs of legal formalism, the book also argues that, despite their explicit rejection, the central themes of primitive law continue to influence current ideas about indigenous legal systems, and also of the place and role of law in development.

LAW AND LABOR

Agócs, Carol, ed. 2014. *Employment Equity in Canada: The Legacy of the Abella Report*. Toronto, Canada: University of Toronto Press. Pp. x + 335. \$80.00 cloth; \$34.95 paper.

Examining the evidence of nearly thirty years, the contributors to Agócs's collection evaluate the impact of Canada's employment equity legislation on equality in the workplace and the future of substantive equality. They compare Canada's legal and policy choices to those of the United States and to the UN Convention on the Rights of Persons with Disabilities and examine ways in which the concept of employment equity might be expanded to embrace other vulnerable communities.

LAW AND LANGUAGE

Freeman, Michael, and Fiona Smith, eds. 2013. *Law and Language: Current Legal Issues Volume 15*. New York: Oxford University Press. Pp. xii + 625. \$155.00 cloth.

Contributors to Freeman and Smith's volume examine such issues as the problems of legal interpretation and translation, nonverbal expression via sign language, and the role of language and the law in a variety of literary works. They also consider the interrelation between language and the law in contexts such as criminal law, contract law, family law, human rights law, and EU law.

LAW AND MEDICINE

Bogart, W. A. 2013. *Regulating Obesity?: Government, Society, and Questions of Health*. New York: Oxford University Press. Pp. xxi + 224. \$85.00 cloth.

Bogart argues that the US government's emphasis on encouraging weight loss and preventing excess weight gain has largely failed to resolve obesity and has instead fueled prejudice against overweight people. He calls for the protection of overweight and obese people through human rights laws and examines three other areas of interventions—marketing, fiscal policy, and physical activity—and how these interventions operate within the context of “health equity.” He concludes that regulation should be directed toward building a healthier population rather than a thinner population.

LAW AND POLITICS

Feldman, David, ed. 2013. *Law in Politics, Politics in Law*. Portland, OR: Hart Publishing. Pp. xxv + 268. \$90.00 cloth.

Feldman's collection examines the day-to-day relationship between law and politics in a number of settings in the British context. It includes contributions by former departmental legal advisors, drafters of legislation, law reformers, judges, and academics.

LAW AND RACE

Aaronson, Ely. 2014. *From Slave Abuse to Hate Crime: The Criminalization of Racial Violence in American History*. New York: Cambridge University Press. Pp. xiii + 205. \$90.00 cloth.

Aaronson explores the complex ways in which political debates and legal reforms regarding the criminalization of racial violence have shaped the development of US racial history. Examining criminalization of slave abuse, lynching, and Klan violence, along with contemporary debates

about hate crimes, he finds both continuity and change in the political forces underpinning the enactment of laws regarding racial violence in different periods and in the social and institutional problems that hinder the effective enforcement of these laws.

Aslakson, Kenneth R. 2014. *Making Race in the Courtroom: The Legal Construction of Three Races in Early New Orleans*. New York: New York University Press. Pp. xii + 249. \$49.00 cloth.

Noting that in the eyes of the law, in pre-US Civil War New Orleans, free people of color did not belong to the same race as enslaved Africans and African Americans—"creoles" remained legally and culturally distinct from "negroes" throughout most of the nineteenth century—Aslakson argues that race is best understood not as a category, but as a process. He focuses on how people of color, acting within institutions of power, shaped those institutions in ways beyond their control.

Berger, Dan. 2014. *Captive Nation: Black Prison Organizing in the Civil Rights Era*. Chapel Hill, NC: University of North Carolina Press. Pp. xiv + 402. \$34.95 cloth.

Berger argues that the prison shaped the rise and spread of black activism in the United States, from civil rights demonstrators risking arrests to the many current and former prisoners that built or joined organizations such as the Black Panther Party. He concludes that this organizing made prison walls porous and influenced generations of activists that followed.

Cohen, Carl. 2014. *A Conflict of Principles: The Battle Over Affirmative Action at the University of Michigan*. Lawrence, KS: University Press of Kansas. Pp. vii + 302. \$34.95 cloth.

Cohen seeks to give voice to a liberal argument against affirmative action in US college admission policies. In the early 1970s, as a member of the Board of Directors of the American Civil Liberties Union, he vigorously supported programs devised to encourage the recruitment of minorities in colleges and in private employment, but he objected to the morphing of these efforts into admissions preferences, which he sees as a form of racism.

Emanuel, Anne. 2011. *Elbert Parr Tuttle: Chief Jurist of the Civil Rights Revolution*. Athens, GA: University of Georgia Press. Pp. xx + 399. \$28.95 paper.

Emanuel presents a biography of Judge Elbert Parr Tuttle, who led the US federal court with jurisdiction over most of the Deep South through the most tumultuous years of the civil rights revolution. She argues that in landmark cases relating to voter registration, school desegregation, access to public transportation, and other civil liberties, Tuttle's determination to render justice and his swift, decisive rulings neutralized the delaying tactics of civic officials.

Freyer, Tony Allan. 2014. *The Passenger Cases and the Commerce Clause: Immigrants, Blacks, and States' Rights in Antebellum America*. Lawrence, KS: University Press of Kansas. Pp. xii + 204. \$39.95 cloth; \$19.95 paper.

Freyer discusses the antebellum US Supreme Court's role in state-federal regulation of immigrants, the movement of free blacks within the United States, and in the origins, state court decisions, federal precedents, appellate arguments, and opinion making that culminated in the Court's decision in the *Passenger Cases*. The Court's split decision provided political legitimacy for the 1850 Compromise: enactment of a stronger fugitive slave law, admission of slavery in western territories based on popular vote of residents, and the abolition of the slave trade in Washington, DC.

Holloway, Karla F. C. 2014. *Legal Fictions: Constituting Race, Composing Literature*. Durham, NC: Duke University Press. Pp. xv + 158. \$74.95 cloth; \$21.95 paper.

Holloway explores how black authors of literary fiction have reframed fundamental questions about racial identity, personhood, and the law since the era of slavery in the United States. Seeking to engage the intentional, contradictory, and capricious constructions of race embedded in the law, she examines works of Toni Morrison and Charles Johnson as stories about personhood and property, works of David Bradley and Ralph Ellison as structured by evidence law, and work of Nella Larsen as intimately related to contract law.

Möschel, Mathias. 2014. *Law, Lawyers and Race: Critical Race Theory from the United States to Europe*. New York: Routledge/Taylor and Francis. Pp. xiii + 232. \$135.00 cloth.

Möschel examines the transplantation and application of US critical race theory to Europe. He argues that law plays a critical role in the construction, subordination, and discrimination against racial minorities—Moslems, Jews, blacks, and Romanis—in Europe, making it comparable, albeit in slightly different ways, to the US experience of racial discrimination.

Romano, Renee C. 2014. *Racial Reckoning: Prosecuting America's Civil Rights Murders*. Cambridge, MA: Harvard University Press. Pp. 268. \$35.00 cloth.

Romano brings readers into the courthouse for the trials of some of the US civil rights era's most infamous killings. The activists who succeeded in reopening these cases hoped that bringing those responsible to justice would serve to highlight the state-sanctioned racism that had condoned the killings and the lingering effects of racial violence. Court procedures, however, worked against a deeper exploration of the state's complicity in murder or a full accounting of racial injustices, past or present.

Vandervelde, Lea. 2014. *Redemption Songs: Suing for Freedom Before Dred Scott*. New York: Oxford University Press. Pp. xii + 305. \$29.95 cloth.

In this analysis of twelve of 300 recently discovered freedom suits in St. Louis, Vandervelde seeks to move beyond the narrative of the famous US *Dred Scott* case to weave a diverse tapestry of freedom suits and slave lives on the frontier. Striking findings include the enormous degree of variation among the individual litigants who sued for freedom, and that, in contrast to the pro-slavery decision in *Dred Scott*, over a third of the 300 St. Louis cases resulted in the plaintiff's emancipation.

Wattley, Cheryl Elizabeth Brown. 2014. *A Step Toward Brown v. Board of Education: Ada Lois Sipuel Fisher and Her Fight to End Segregation*. Norman, OK: University of Oklahoma Press. Pp. xvii + 305. \$24.95 cloth.

Wattley recounts the struggle of Lois Sipuel Fisher, who, in 1946, was denied admission to the University of Oklahoma College of Law because she was African American. Fisher served as both a litigant, with Thurgood Marshall for counsel, and, later, as a litigator; both a plaintiff and an advocate for the NAACP.

LAW AND SEXUALITY

Ehrlich, J. Shoshanna. 2014. *Regulating Desire: From the Virtuous Maiden to the Purity Princess*. Albany, NY: SUNY Press. Pp. x + 213. \$80.00 cloth.

Drawing on an array of primary source materials, including reform periodicals, court cases, legislative hearing records, and abstinence curricula, Ehrlich considers the legal regulation of young women's sexuality in the United States. She covers five time periods in which changing social conditions generated considerable public anxiety about youthful female sexuality and

concludes that successive generations of reformers sought to revise the law in an effort to manage unruly desires and restore a gendered social order.

LAW AND TECHNOLOGY

Beauchamp, Christopher. 2015. *Invented by Law: Alexander Graham Bell and the Patent that Changed America*. Cambridge, MA: Harvard University Press. Pp. 1 + 272. \$35.00 cloth.

Beauchamp challenges the popular idea that Alexander Graham Bell was the sole inventor of the telephone, arguing that the story's origins lie in the arguments advanced by Bell's lawyers. He concludes that it was primarily the courts that anointed Bell father of the telephone, granting him a patent monopoly that decisively shaped the US telecommunications industry. He contrasts the patent treatment in the United States to that in Britain and finds that the British legal system handled the same technology in very different ways.

LAW AND WAR

Heller, Kevin Jon, and Gerry Simpson, eds. 2013. *The Hidden Histories of War Crimes Trials*. New York: Oxford University Press. Pp. xxv + 463. \$120.00 cloth.

Contributors to Heller and Simpson's volume examine lesser-known war crimes trials that have taken place in a variety of contexts: international and domestic, historic and contemporary. Essays analyze these trials with a view to recognizing institutional innovations, clarifying doctrinal debates, and identifying their general relevance to contemporary international criminal law. At the same time, they seek to focus attention on the ways that international criminal law has framed the study of war crimes so as to privilege some stories at the expense of others.

LAW AND WOMEN

Fincher, Leta Hong. 2014. *Leftover Women: The Resurgence of Gender Inequality in China*. New York: Zed Books. Pp. 213. \$134.95 cloth; \$24.95 paper.

Fincher argues that in recent years, women in China have experienced a dramatic rollback of rights and gains relative to men. She examines structural discrimination against women and speaks to broader problems with China's economy, politics, and development.

Schandevyl, Eva, ed. 2014. *Women in Law and Lawmaking in Nineteenth and Twentieth-Century Europe*. Burlington, VT: Ashgate Publishing Company. Pp. xi + 279. \$124.95 cloth.

Exploring the relationship between gender and law in Europe from the nineteenth century to the present, contributors to Schandevyl's collection examine the feminization of justice and the impact of gendered constructions on jurisprudence in Europe. They consider the factors that influenced the breakthrough of women in the judicial world and what gender factors determine the position of women at the various levels of the legal system.

LEGAL PROFESSION

Jemielniak, Dariusz, ed. 2014. *Legal Professions at the Crossroads*. New York: Peter Lang International Academic Publishers. Pp. 182. \$54.95 cloth.

Contributors to Jemielniak's collection draw on empirical materials to address issues of legal and administrative professionals' identity, ethics, and workplace enactment in Poland. In particular, the volume examines criminal judges' roles, the interplay of law and politics in judicial decisions, and the ways they are standardized, and describes the legal workplace, especially in terms of time commitments.

PORTABILITY OF LAW

Bogg, Alan, and Tonia Novitz, eds. 2014. *Voices at Work: Continuity and Change in the Common Law World*. New York: Oxford University Press. Pp. xxxiii + 481. \$135.00 cloth.

Bogg and Novitz's collection examines the concept of worker "voice" in Australia, Canada, New Zealand, the United Kingdom, and the United States, and its interaction with various forms of law. The editors conclude that the variance in the outcomes across these jurisdictions indicates that despite the commonality of the common law, there are significant differences between industrial systems and constitutional traditions, thereby casting doubt on the notion that there are definitive legal solutions that can be applied through transplantation.

SOCIOLEGAL THEORY

Brock, Deborah, Amanda Glasbeek, and Carmela Murdocca, eds. 2014. *Criminalization, Representation, Regulation: Thinking Differently About Crime*. Toronto: University of Toronto Press. Pp. xviii + 462. \$132.00 cloth; \$59.95 paper.

Contributors to Brock, Glasbeek, and Murdocca's volume draw on Foucault's concept of governmentality as a lens to analyze and critique how crime is understood, reproduced, and challenged. They explore the dynamic interplay between practices of representation, processes of criminalization, and the ways that these circulate to both reflect and constitute crime and "justice."

Brown, Mark. 2014. *Penal Power and Colonial Rule*. New York: Routledge/Taylor and Francis. Pp. xi + 212. \$135.00 cloth.

Arguing that the colonial form of penal power was distinct from its metropolitan counterpart, Brown analyzes the British experience in India from the 1820s to the early 1920s. He challenges the Foucauldian thesis that criminological knowledge emerged in the service of a new form of power—discipline—and argues that Foucault's alignment of sovereign, disciplinary, and governmental power needs to be modified to account for its operation in the colonial sphere. He concludes that colonial penal power in India is best understood as a central element of a liberal colonial governmentality.

TRANSFORMATION OF LAW IN LATIN AMERICA

Rodríguez-Garavito, César, ed. 2015. *Law and Society in Latin America: A New Map*. New York: Routledge/Taylor and Francis. Pp. xi + 293. \$145.00 cloth.

Over the past two decades, legal thought and practice in Latin America has changed dramatically: new constitutions or constitutional reforms have marked a widespread transition to democracy, fundamental institutional innovations have been introduced, and processes of globalization have had profound impacts on Latin American law. Contributors to

Rodríguez-Garavito's volume offer a systematic assessment of these legal and political transformations.

TRANSITIONAL JUSTICE

Teitel, Ruti G. 2014. *Globalizing Transitional Justice: Contemporary Essays*. New York: Oxford University Press. Pp. xxiv + 224. \$85.00 cloth.

Teitel provides a collection of her own essays that embody her evolving reflections on the practice and discourse of transitional justice since publication of a previous book. She focuses on the ways in which transitional justice concepts have found legal expression, especially through human rights law, jurisprudence, and international criminal law. The essays seek to shed light on some of the difficult design choices in this context: criminal trials versus amnesties or truth commissions; domestic or international processes; peace and reconciliation versus accountability and punishment.