

BOOK REVIEWS

Research Handbook on Feminist Jurisprudence. Edited by Robin West and Cynthia Grant Bowman. Northampton, MA: Edward Elgar, 2019. Pp. xv, 544. ISBN: 978-1-78643-968-0. US\$ 290.00.

The *Research Handbook on Feminist Jurisprudence* provides a diverse, U.S.-centric, collection of scholarly essays on feminist legal theory today. In the first part of the collection, eight authors provide overviews and, in some cases, re-interpretations and defenses of the major schools of feminist thought, including liberal feminism, relational feminism, and socialist feminism. All of the essays provide persuasive, cogent arguments for the value of each approach. The highlights for me were Laura A. Rosenbury's *Postmodern Feminist Legal Theory* and Dorothy Roberts' *Critical Race Feminism*. Rosenbury rewrites postmodern feminism as an affirmative framework rather than simply a critique of other forms of feminism. Roberts identifies how anti-poverty programs that allow women to escape domestic violence can bridge the gap between critical race feminism's opposition to domestic violence and its anti-carceral stance.

The remaining six parts of the collection provide uneven coverage of criminal law, reproductive rights, sex discrimination and harassment, constitutional law, private law, and international law. The quality of writing is uniformly high, with an effective balance between essays providing overviews of existing feminist legal theory and essays providing novel insights. The number of essays per topic varies widely, with notably less space devoted to reproductive rights, constitutional law, and international law. As Adrien Wing notes in *International Law And Feminism*, U.S. feminist legal theory has often focused narrowly on U.S. law and failed to consider international law (p. 468). This is reflected in the handbook's inclusion of only two essays in its international law section.

Nevertheless, Wing's chapter provides an effective overview of international law and feminism. Wing surveys efforts to incorporate feminist perspectives into all aspects of international law, from environmental law to trade law to humanitarian law. Wing highlights Third World Approaches to International Law, which criticize the imposition of Western feminism on women in the developing world and emphasize the heterogeneity of feminisms, and critical race feminism, which centralizes women of color and analyzes how law can both perpetuate and combat racial and gender hierarchies. Wing provides an insider's perspective on efforts to promote women's roles within the American Society of International Law and surveys Black women's roles as judges, prosecutors, and more in international criminal courts and human rights bodies. Wing's copious footnotes serve as a reading list of additional articles and books, including her own reader on *Global Critical Race Feminism*.

A handful of other essays scattered throughout the handbook address international and comparative law on specific topics. In the only other chapter in the international law section, titled *The State's Due Diligence Obligation*, Irem Çağlar and Berna Akçali Gür analyze states' due diligence obligation to protect women from domestic violence. They provide a close reading of the European Court of Human Rights' decision *Opuz v. Turkey* and trace the development of the obligation through Inter-American Court of Human Rights jurisprudence and U.N. human rights materials. In *'Some Gentle Violence': Marital Rape Immunity as a Contradiction in Criminal Law*, Ngaire Naffine provides an informative and enraging history of the marital rape exception as developed in traditional English common law and applied in the U.S. and Australia. In *Feminism and Family Leave*, Julie C. Suk provides an enlightening survey of different countries' approaches to parental leave, ranging from the U.S.'s optional, gender neutral, and largely unpaid parental leave to a South Korean corporation's mandatory, fully paid paternity leave to France's attempt to provide pension credits to mothers who took time off to care for their children. In *A Dignitarian Feminist Jurisprudence*, Orit Kamir argues that feminists should rewrite their objections to sexual harassment and rape based on the principle of human dignity, as established in the Universal Declaration of Human Rights. Kamir argues that the principle of dignity is international, universal, and uniquely suited for combatting honor cultures, which

determine the boundaries of acceptable sexual behavior based on the stain to the father's or husband's honor rather than on the injury to the woman's freedom and bodily integrity.

Most strikingly and effectively, Nivedita Menon's *Sexual Violence and the Law in India*, on the development of sexual violence laws in India, is paired with Victoria Nourse's *Violence Against Women and Liberal Sexism*, on the development of domestic violence laws in the United States. Both Menon and Nourse are masters of compelling and engaging anecdotes. Menon quotes a judge's gratuitous assertion that a woman's "feeble 'no' may mean a 'yes'" (p. 203) and quotes Indian defense attorneys bragging about terrorizing and humiliating rape victims to the point that they never return to the witness stand and even kill themselves (p. 197). Nourse quotes U.S. Senators characterizing domestic violence shelters as "havens for teenagers and others who resent family discipline" (p. 215) and complaining of marital rape legislation that "Damn it, when you get married, you expect to get a little sex" (p. 219).

Taken together, the essays by Menon and Nourse paint a portrait of feminism's uneasy and shifting alliances with both conservatives and liberals. As Kamir also notes, both feminists and conservatives may oppose some types of sexual violence, but their objections and solutions are very different. Menon describes how Indian anti-rape laws have been hijacked to force victims to marry their rapists, disrupt consensual inter-caste and inter-religious marriages, and target lower caste men (pp. 187–190, 194). On the other hand, liberals are not necessarily reliable allies for feminists either. Nourse describes how many liberal groups, including some women's rights groups, opposed laws penalizing violence against women based on views that women did not need a "protective bubble" or "special help" (p. 215) and that concern for rape was "a kind of 'moral panic'" leveraged by White women against Black men (pp. 221–222). These essays, and the handbook as a whole, illustrate the continuing need for specifically feminist perspectives on the law. Overall, although not focused on international law, the *Research Handbook on Feminist Jurisprudence* is a compelling, thought-provoking addition to academic library collections.

Caitlin Hunter
Reference Librarian
Hugh & Hazel Darling Law Library
UCLA School of Law
Los Angeles, CA U.S.A.
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Research Handbook on Natural Law Theory. Edited by Jonathan Crowe and Constance Youngwon Lee. Cheltenham, UK; Northampton, MA: Edward Elgar Publishing, 2019. Pp ix, 447. ISBN: 978-1788110037.

This research handbook is a useful and, to a large extent, refreshing approach to the natural law tradition. In the preface, the editors argue that one core aim of the handbook is to counter the universalizing perception of natural law as inherently socially conservative, a predominant view since the 1980s. The editors specifically point to the influence of such commentators as John Finnis and Germain Grisez, who indeed have put forth such work in prior decades. The editors' aim instead is "to highlight the breadth and diversity of the natural law outlook." This approach involves "provid[ing] a snapshot of current research on natural law in ethics, politics and law," in addition to "showcasing the rigour, versatility and enduring relevance of the tradition." In particular, numerous contributions in the handbook succeed in articulating how natural law theory, as necessarily re-envisioned, might shed light on many of our most intractable social, political, and environmental problems.

Opening chapters of the handbook focus on Western foundations for natural law and more diverse global texts and traditions; the latter half turns to normative concepts and the intersection of natural law and governance per se. The Western chapters provide a sound, compelling historical overview of leading natural law commentators. Coverage includes Aristotle, the classical era Stoics, and treatments on St. Augustine, Thomas Aquinas, John Calvin, and others. Thereafter, numerous chapters very fruitfully explore alternative natural law perspectives found in, for instance, Judaism and Islamic legal and theological traditions.

Norman P. Ho's *Natural Law in Confucianism* constitutes an especially illuminating chapter that merits special attention. Ho, as part of a broader historic and contemporary analysis, argues that "Neo-Confucianism is the most promising source of natural law thinking in the Confucian tradition," as informed by both Daoism and Buddhism. This tradition, which Ho examines in the context of Wang Yangming's thought, "advert[s] to an ultimate