

Book Notes*

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

CITIZEN PARTICIPATION IN THE LEGAL SYSTEM

Wilson, Matthew J., Hiroshi Fukurai, and Takashi Maruta. 2015. *Japan and Civil Jury Trials: The Convergence of Forces*. Cheltenham, UK: Edward Elgar. Pp. vi + 193. \$110.00 cloth.

Wilson, Fukurai, and Maruta examine the historical underpinnings of citizen participation in Japan's justice system and analyze reforms related to Japan's adoption of its *saibanin seido* or quasi-jury "lay judge system" for serious criminal trials in 2009. They also discuss the potential impact of citizen participation on environmental civil lawsuits after the Fukushima nuclear disaster and seek out lessons about jury trials based on the experience of the United States and the recent proliferation of citizen involvement in the justice system around the world.

CIVIL JUSTICE SYSTEM

Bussani, Mauro, and Anthony J. Sebok, eds. 2015. *Comparative Tort Law: Global Perspectives*. Cheltenham, UK: Edward Elgar. Pp. viii + 509. \$290.00 cloth.

This collection of essays written by tort law experts from around the world offers a comparative assessment of tort law rules, with consideration of the cultural contexts in which those laws reside. Case studies analyze specific features of selected tort systems in Europe, the United States, Latin America, East Asia, and Sub-Saharan Africa.

Maclean, Mavis, and John Eekelaar. 2016. *Lawyers and Mediators: The Brave New World of Services for Separating Families*. Oxford/Portland, OR: Hart Publishing. Pp. viii + 162. \$95.00 cloth.

Maclean and Eekelaar examine the day-to-day work of lawyers and mediators, drawing on empirical work carried out in 2013–2015 immediately after major changes in the family justice system in Britain. The reduction in legal aid assistance in 2013 and the failure of mediation to fill the gap in 2014–2015 have given rise to a difficult debate; this book aims to provide an account of some of the practical effects of these policies.

CIVIL LIBERTIES

Lebovic, Sam. 2016. *Free Speech & Unfree News: The Paradox of Press Freedom in America*. Cambridge, MA: Harvard University Press. Pp. vii + 334. \$39.95 cloth.

Lebovic seeks to recover a vision of press freedom, prevalent in the mid-twentieth century United States, based on the idea of unfettered public access to accurate information. Since then, he argues, freedom of the press has come to mean nothing more than the right to publish without government censorship; he concludes that the idea of a public right to all the news and information was abandoned, and is today largely forgotten.

CONSTITUTIONAL THEORY AND HISTORY

Gormley, Ken, ed. 2016. *The Presidents and the Constitution: A Living History*. New York: New York University Press. Pp. x + 701. \$45.00 cloth.

Contributors to Gormley's volume examine key moments in US history, from Washington's early battles with Congress to the advent of the national security presidency under George W. Bush and Barack Obama, focusing on the historical forces that drove these presidents to action, and how these moments shaped the meaning of the Constitution.

Guichard, Justine. 2016. *Regime Transition and the Judicial Politics of Enmity: Democratic Inclusion and Exclusion in South Korean Constitutional Justice*. New York: Palgrave Macmillan. Pp. xviii + 248. \$109.00 cloth.

Guichard examines how the Constitutional Court of South Korea has addressed the challenge of defining and redefining enmity, carving the contours of who is included in or excluded from the body politic throughout its jurisprudence.

Tushnet, Mark V., and Madhav Khosla, eds. 2015. *Unstable Constitutionalism: Law and Politics in South Asia*. New York: Cambridge University Press. Pp. x + 403. \$34.99 paper.

Tushnet and Khosla argue that although the field of constitutional law has become increasingly comparative in recent years, its geographic focus has remained limited. Contributors to their volume expand this focus to include examination of constitutional law and practice in five South Asian countries: India, Pakistan, Sri Lanka, Nepal, and Bangladesh. Identifying a common theme of volatile change, they develop the concept of "unstable constitutionalism," studying the sources of instability alongside reactions and responses to it.

COURTS AND JUDGES

Buenger, Michael L., and Paul J. De Muniz. 2016. *American Judicial Power: The State Court Perspective*. Northampton, MA: Edward Elgar. Pp. xxviii + 302. \$145.00 cloth.

Buenger and De Muniz examine the wide and distinctive powers US state courts exercise, and their role in administering the bulk of the nation's justice system. Topics considered include: a comparison of the role of state and federal courts, the history of US state courts, the unique roles assigned to state courts, the varying structure of those courts, and the relationship between state judicial power and state legislative power.

Geyh, Charles. 2016. *Courting Peril: The Political Transformation of the American Judiciary*. New York: Oxford University Press. Pp. xi + 202. \$45.00 cloth.

Geyh proposes a new way of looking at how the role of the US judiciary should be conceptualized and regulated. His "legal culture paradigm" defends the need for an independent judiciary that is acculturated to take law seriously

but is subject to political and other extralegal influences. He argues that these extralegal influences cannot be eliminated, but can be managed by balancing the needs for judicial independence and accountability across competing perspectives, to the end of enabling judges to follow the “law” (less rigidly conceived), respect established legal process, and administer justice.

CRIMINAL JUSTICE AND SOCIAL CONTROL

Bayley, David H., and Philip C. Stenning. 2016. *Governing the Police: Experience in Six Democracies*. New Brunswick, NJ: Transaction Publishers. Pp. x + 216. \$34.95 paper.

Focusing mainly on the daily, informal interactions between politicians and police as they balance their respective duties, Bayley and Stenning compare the experiences and opinions of chief police officers in Australia, Britain, Canada, India, New Zealand, and the United States. They cover three broad topics: the intellectual and governmental context of democratic governance; the experience of chief officers in that relationship; and the reflections on lessons learned.

Enns, Peter K. 2016. *Incarceration Nation: How the United States Became the Most Punitive Democracy in the World*. New York: Cambridge University Press. Pp. xiii + 192. \$24.99 paper.

Enns combines analysis of Goldwater and Nixon’s presidential campaigns with sixty years of data to analyze the rise of mass incarceration in the United States. In contrast to conventional wisdom, he finds that during the 1960s, 1970s, 1980s, and 1990s, politicians responded to an increasingly punitive public—partly fueled by media reports—by pushing policy in a more punitive direction. He also finds a decline in public punitive attitudes in recent years, which may offer insight into current bipartisan calls for criminal justice reform.

Hinton, Elizabeth. 2016. *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*. Cambridge, MA: Harvard University Press. Pp. 449. \$29.95 cloth.

Hinton traces the rise of mass incarceration in the United States to an ironic source: the social welfare programs of Lyndon Johnson’s Great Society. She argues that these programs were rooted in widely shared assumptions about African Americans’ role in urban disorder, which prompted Johnson’s call for a simultaneous War on Crime. She concludes that the crime control initiatives of the 1980s were less a sharp departure than the full realization of the punitive transformation of urban policy implemented by Republicans and Democrats alike since the 1960s.

Liang, Bin, and Hong Lu, eds. 2016. *The Death Penalty in China: Policy, Practice, and Reform*. New York: Columbia University Press. Pp. xiv + 362. \$35.00 paper.

Drawing on empirical data, contributors to Liang and Lu's volume draw on empirical data to follow changes in China's death penalty from the Mao era (1949–1979) through today, relaying the character of China's death penalty practices and the incremental changes that indicate reform. They also compare the Chinese experience to other countries throughout the world, arguing that change can be implemented even within a nondemocratic and rigid political system, but also flagging the dangers of promoting policies that society may not be ready to embrace.

Reid, Joan, ed. 2016. *Human Trafficking: Contexts and Connections to Conventional Crime*. New York: Routledge. Pp. xi + 149. \$155.00 cloth.

In recent years, there has been a growing interest among criminologists in the intersection of human trafficking with the criminal justice system and its overlap with conventional types of crime. Contributors to Reid's volume focus on these intersections, describing police perceptions and responses to human trafficking while also providing insight into victims with reports on victim perceptions of their treatment by the police. This book was originally published as a special issue of the *Journal of Crime and Justice*.

Scoular, Jane. 2016. *The Subject of Prostitution: Sex Work, Law and Social Theory*. New York: Routledge/Taylor and Francis. Pp. xii + 189. \$140.00 cloth.

Scoular seeks to use the lens of social theory to disrupt fixed meanings and provide a new understanding of the complexity and contingencies of sex work in late modernity. She analyses contemporary citizenship discourse and the law's ability to meet the competing demands of empowerment by sex workers and protection by those who view prostitution as the epitome of patriarchal sexual and economic relations.

ISSUES IN RESEARCH ON LAW AND BEHAVIOR

Stigler, Stephen M. 2016. *The Seven Pillars of Statistical Wisdom*. Cambridge, MA: Harvard University Press. Pp. 230. \$22.95 paper.

Stigler seeks to make accessible the foundational ideas of statistics: aggregation, which allows one to gain information by discarding information; information measurement, which challenges the importance of "big data" by noting that observations are not all equally important; likelihood, the calibration of inferences with the use of probability; regression, both a paradox and the basis of inference; experimental design; and the residual, the notion that a complicated phenomenon can be simplified by subtracting the effect of known causes, leaving a residual phenomenon that can be explained more easily.

JUDICIAL SELECTION

Maveety, Nancy. 2016. *Picking Judges: Presidential Briefings*. New Brunswick, NJ: Transaction Publishers. Pp. x + 122. \$19.95 paper.

Maveety examines the dynamics of screening and choosing judicial nominees for the US federal courts and analyzes the institutional calculus in securing their confirmation in the face of senatorial obstruction.

LAW AND ECONOMICS

Klerman, Daniel, ed. 2015. *Economics of Legal History*. Cheltenham, UK: Edward Elgar. Pp. xxiii + 783. \$399.95 cloth.

Klerman brings together important works examining legal history from an economic perspective—by scholars trained in law, economics, history, and political science—and contributes an introduction that develops a roadmap to the field.

LAW AND THE ENVIRONMENT

Alam, Shawkat, Sumudu Atapattu, Carmen G. Gonzalez, and Jona Razzaque, eds. 2015. *International Environmental Law and the Global South*. New York: Cambridge University Press. Pp. xxiv + 631. \$155.00 cloth.

Alam, Atapattu, Gonzalez, and Razzaque argue that despite the proliferation of legal instruments to combat environmental problems, conflicts between rich (North) and poor (South) nations have compromised international environmental law, leading to deadlocks in environmental treaty negotiations and noncompliance with agreements. Contributors to their volume examine the origins of the North-South divide in European colonialism as well as its contemporary manifestations, seeking to shift the focus of international environmental law by emphasizing the priorities and perspectives of the global South.

Atapattu, Sumudu. 2015. *Human Rights Approaches to Climate Change: Challenges and Opportunities*. New York: Routledge. Pp. xv + 324. \$145.00 cloth.

Atapattu examines issues relating to climate change, including jurisprudential and theoretical frameworks and human rights implications of international environmental law. She explores how the human rights framework can be used in relation to mitigation, adaptation, and adjudication, how vulnerable groups—women, indigenous peoples, and climate “refugees”—are disproportionately affected by climate change, and the potential for human rights law to address the problem of those who will be rendered stateless as a result of states disappearing and displaced by climate change.

Baier, Lowell E. 2016. *Inside the Equal Access to Justice Act: Environmental Litigation and the Crippling Battle Over America's Lands, Endangered Species, and Critical Habits*. Lanham, MD: Rowman & Littlefield. Pp. xxix + 648. \$75.00 cloth.

Baier chronicles the century-long story of US resource management, focusing on litigation, citizen suit provisions, and attorney fees. He examines the Equal Access to Justice Act (EAJA) and its role in environmental litigation. Originally intended to support veterans, the disabled, and small businesses, the EAJA, he argues, now paralyzes US public land management agencies. He recommends carefully tailored amendments to the EAJA to correct environmental abuses of the law while protecting legitimate interests.

LAW AND FAMILY RELATIONSHIPS

Thompson, Sharon. 2015. *Prenuptial Agreements and the Presumption of Free Choice: Issues of Power in Theory and Practice*. Oxford, UK: Hart Publishing. p. xxii + 219. \$86.00 cloth.

Using a feminist and contractual theoretical framework, and drawing on an empirical study of the experiences and views of practitioners skilled in the formation and litigation of prenuptial agreements in New York, Thompson seeks to provide a nuanced understanding of the autonomy exercised by parties entering into prenuptial agreements.

LAW AND GLOBALIZATION

Kroncke, Jedidiah J. 2016. *The Futility of Law and Development: China and the Dangers of Exporting American Law*. New York: Oxford University Press. Pp. viii + 358. \$74.00 cloth.

Kroncke argues that the US founders had a serious engagement with, and often admiration for, Chinese law in the Revolutionary Era. He examines the central role of Sino-American relations in the decline of the cosmopolitan approach to law over the succeeding two centuries, replaced by “a legal culture both parochial in its resistance to engaging foreign legal experience and universalist in its messianic desire to export American law abroad.”

LAW AND HIP HOP

Bridgewater, Pamela D., André Douglas Pond Cummings, and Donald F. Tibbs, eds. 2015. *Hip Hop and the Law*. Durham, NC: Carolina Academic Press. Pp. xxii + 386. \$53.00 paper.

Contributors to Bridgewater, Cummings, and Tibbs’s volume work at the intersection of law and rap music, examining the law-rap relationship at the convergence of legal consciousness, politics, hip hop studies, and US law. Topics include critical race theory, crime and justice, mass incarceration, gender, and US law, including corporate law, intellectual property law, constitutional law, and real property law.

LAW AND INDIGENOUS PEOPLES

Macklem, Patrick, and Douglas Sanderson, eds. 2015. *From Recognition to Reconciliation: Essays on the Constitutional Entrenchment of Aboriginal and Treaty Rights*. Toronto, ON: University of Toronto Press. Pp. vii + 522. \$42.95 paper.

In Macklem and Sanderson's volume, twenty scholars reflect on the continuing transformation of the constitutional relationship between indigenous peoples and the Canadian state. The book features essays on themes such as the role of sovereignty in constitutional jurisprudence, the diversity of methodologies at play in these legal and political questions, and connections between the Canadian constitutional experience and developments elsewhere in the world.

Nettelbeck, Amanda, Russell Smandych, Louis A. Knafla, and Robert Foster, eds. 2016. *Fragile Settlements: Aboriginal Peoples, Law, and Resistance in South-West Australia and Prairie Canada*. Vancouver, Canada: University of British Columbia. Pp. xii + 315. \$37.95 paper.

Contributors to *Fragile Settlements* compare the processes through which British colonial authority was asserted over indigenous peoples in southwest Australia and prairie Canada from the 1830s—when Britain's Colonial Office moved to protect them by making them British subjects—to the early twentieth century. Essays examine how colonial actors and institutions interpreted and applied the principle of law in their interaction with indigenous peoples “on the ground.”

LAW AND INTELLECTUAL PROPERTY

Roh, David S. 2015. *Illegal Literature: Toward a Disruptive Creativity*. Minneapolis: University of Minnesota Press. Pp. x + 163. \$25.00 paper.

Drawing on the disciplines of new media, law, and literary studies, Roh suggests that extralegal works such as fan fiction are critical to a system that spurs the evolution of culture. He analyzes the relationship between intellectual property rights and US literature in two recent copyright disputes and, in comparing US fan fiction and Japanese *dojinshi*, he illustrates how infrastructure and legal climates detract from or encourage fledgling creativity. He concludes by making a case for protecting an environment conducive to literary heresy.

LAW AND LITERATURE

Cormack, Bradin, Martha C. Nussbaum, and Richard Strier, eds. 2016. *Shakespeare and the Law: A Conversation Among Disciplines and Professions*. Chicago, IL: University of Chicago Press. Pp. 335. \$38.00 cloth.

Contributors to Cormack, Nussbaum, and Strier's collection offer perspectives on the continuities and contrasts between the fields of law and literature; consider Shakespeare's awareness of common law thinking and common law practice; inquire into Shakespeare's general attitudes toward legal systems; and consider how law enters into conversation with issues of politics and

community. Also, a colloquy among Supreme Court Justice Stephen Breyer, Judge Richard Posner, Nussbaum, and Strier ranges from the ghost in *Hamlet* to the nature of judicial discretion.

Ferguson, Robert A. 2016. *Practice Extended: Beyond Law and Literature*. New York: Columbia University Press. Pp. x + 337. \$60.00 cloth.

With chapters touching on a wide range of subjects, including immigration, eloquence, the US Constitution, and the Supreme Court case over James Joyce's *Ulysses*, Ferguson argues for the importance of language in law and provides an analysis of the relationship between law and literature. He challenges the notion of law as accessible only to experts, and offers an account of how the law has shaped and has been shaped by communal thought.

LAW AND PRESIDENTIAL POWER

Edelson, Chris. 2016. *Power Without Constraint: The Post-9/11 Presidency and National Security*. Madison, WI: University of Wisconsin Press. Pp. x + 239. \$24.95 cloth.

In an analysis of the Bush and Obama administrations' national security policies, Edelson finds that Obama and his officials have used softer rhetoric and toned-down legal arguments, but that in key areas—military action, surveillance, and state secrets—they have simply found new ways to assert power without meaningful constitutional or statutory constraints. He argues that this legacy raises the possibility that national security concerns have created a permanent shift to unconstrained presidential power.

LAW AND PRIVACY

Jones, Meg Leta. 2016. *Ctrl + Z: The Right to Be Forgotten*. New York: New York University Press. Pp. xiii + 269. \$29.95 cloth.

This book advocates for a digital right to be forgotten, which would in turn create a legal duty to delete, hide, or anonymize information at the request of another user. This idea has been criticized as an affront to principles of expression and access, as unworkable as a technical measure, and as effective as trying to put the cat back in the bag. But Jones argues that the existing perspectives are too limited; by looking at new theories of privacy and organizing the many potential applications of the right, more nuanced choices can be developed.

LAW AND RACE

Bullock, Charles S. III, Ronald Keith Gaddie, and Justin J. Wert. 2016. *The Rise and Fall of the Voting Rights Act*. Norman, OK: University of Oklahoma Press. Pp. xv + 240. \$29.95 cloth.

Bullock, Gaddie, and Wert describe the Jim Crow electoral regime that made the US Voting Rights Act necessary, draw on court cases and election data to examine the 2006 revision and renewal of the Act, and discuss its role in shaping the southern political environment in the 2008 and 2012 presidential elections. They conclude with an analysis of the 2013 *Shelby County* decision, which annulled key provisions of the Act.

Endersby, James W., and William T. Horner. 2016. *Lloyd Gaines and the Fight to End Segregation*. Columbia, MO: University of Missouri Press. Pp. xii + 379. \$36.96 cloth.

Missouri ex rel. Gaines v. Canada (1938)—challenging the denial of Gaines’s admission to the University of Missouri Law School—was the first in a long line of decisions by the US Supreme Court regarding race and higher education. Endersby and Horner focus on the vital role played by the NAACP and its lawyers—including Charles Houston, known as “the man who killed Jim Crow”—who advanced a concerted strategy to produce political change, as well as on the African American newspaper journalists and editors who mobilized popular support for the NAACP’s strategy.

LAW AND WAR

Hagan, John, Joshua Kaiser, and Anna Hanson. 2015. *Iraq and the Crimes of Aggressive War: The Legal Cynicism of Criminal Militarism*. New York: Cambridge University Press. Pp. ix + 250. \$34.99 paper.

Hagan, Kaiser, and Hanson argue that the US war in Iraq constituted a war of aggression in violation of international law, including, among other offenses, the torture of detainees at Abu Ghraib and unnecessary attacks on civilians. They see a gross overestimation of the successes and underestimation of the failings of the Surge and Awakening policies, and find that a cynical framing of the war led to the creation of a Shia-dominated Iraq state, which in turn provoked powerful feelings of legal cynicism, especially among the Sunni.

LAW AND THE WELFARE STATE

Tani, Karen M. 2016. *States of Dependency: Welfare, Rights, and American Governance, 1935–1972*. New York: Cambridge University Press. Pp. xiii + 427. \$34.99 paper.

Tani traces the first forty years of US New Deal welfare programs, asking what happened as money, expertise, and ideas traveled from the federal government, through state and local bureaucracies, and into diverse and divided communities. Drawing on legal and archival sources, she finds that reformers attempted to build a more bureaucratic, centralized, and uniform public welfare system; that traditions of localism, federalism, and hostility toward the “undeserving poor” affected their efforts; and that, along the way, more and more Americans came to speak of public income support in the powerful but limiting language of law and rights.

LAW AND WOMEN

Barrera Vivero, Anna. 2016. *Violence Against Women in Legally Plural Settings: Experiences and Lessons from the Andes*. New York: Routledge. Pp. xii + 285. \$140.00 cloth.

Barrera Vivero argues that analysts tend to conceive indigenous legal systems as either inherently incompatible with women's rights or, alternatively, emphasize customary law's advantageous features, such as its greater accessibility, familiarity, and effectiveness. Drawing on ethnographic studies of six initiatives of legal and institutional change in Ecuador, Peru, and Bolivia, she seeks to provide a more nuanced understanding of how women navigate through context-specific constellations of interlegality in their search for justice.

Grossman, Joanna L. 2016. *Nine to Five: How Gender, Sex, and Sexuality Continue to Define the American Workplace*. New York: Cambridge University Press. Pp. xxiii + 382. \$34.99 paper.

Grossman discusses contemporary cases and events to examine the breadth and persistence of sexism and gender stereotyping in the US workplace. Through a series of essays organized around sex discrimination, sexual harassment, pregnancy discrimination, and pay equity, the book highlights legal rules and doctrines that privilege men over women and masculinity over femininity. Considering what the law forbids, what it allows, and to what it turns a blind eye, she concludes that despite significant gains for women, gender continues to define the work experience in both predictable and surprising ways.

LEGAL CULTURE

Blumenthal, Susanna L. 2015. *Law and the Modern Mind: Consciousness and Responsibility in American Legal Culture*. Cambridge, MA: Harvard University Press. Pp. 385. \$45.00 cloth.

Blumenthal argues that in post-revolutionary America, the autonomous individual was both the linchpin of a young nation and a threat to the founders' vision of ordered liberty. Conceiving of self-government as a psychological as well as a political project, jurists built a republic of laws upon the Enlightenment science of the mind with the aim of producing a responsible citizenry. Focusing on everyday adjudication, the book probes the assumptions and consequences of this undertaking, revealing how ideas about consciousness, agency, and accountability have shaped US jurisprudence.

LEGAL EFFECTS OF US CIVIL WAR

Edwards, Laura F. 2015. *A Legal History of the Civil War and Reconstruction: A Nation of Rights*. New York: Cambridge University Press. Pp. xii + 212. \$80.00 cloth.

Edwards argues that a major casualty of the US Civil War was the nation's legal order, and she explores the implications of this change by bringing legal history into dialogue with the scholarship of other historical fields. Federal policy on slavery and race, particularly the three Reconstruction amendments, are the best-known legal innovations of the era. Change, however, permeated all levels of the legal system, altering Americans' relationship to the law and allowing them to move popular conceptions of justice into the ambit of government policy.

LEGAL SERVICES

Estreicher, Samuel, and Joy Radice, eds. 2016. *Beyond Elite Law: Access to Civil Justice in America*. New York: Cambridge University Press. Pp. xxxiv + 722. \$125.00 cloth.

Contributors to Estreicher and Radice's volume address whether at the current level of resources—both public and private—the US legal system can better address the legal needs of Americans of low and moderate incomes. Judges, researchers, and activists discuss the role of technology, pro bono services, bar association resources, affordable solo and small firm fees, public service internships, and law student and nonlawyer representation.

TRANSFORMATION OF LEGAL SYSTEMS

Hussin, Iza R. 2016. *The Politics of Islamic Law: Local Elites, Colonial Authority, and the Making of the Muslim State*. Chicago, IL: University of Chicago Press. Pp. viii + 351. \$37.50 paper.

Drawing on archival work in court records, colonial and local papers, private letters, and visual material, Hussin views politics in India, Malaya, and Egypt in the British colonial period as a series of negotiations between local and colonial powers in multiple locations. She finds that this resulted in a paradox, centralizing Islamic law at the same time that it limited its reach to family and ritual matters, and that the content and structure of modern Islamic law is the consequence of a global transformation realized at the local level.

TRANSITIONAL JUSTICE

Chakravarty, Anuradha. 2016. *Investing in Authoritarian Rule: Punishment and Patronage in Rwanda's Gacaca Courts for Genocide Crimes*. New York: Cambridge University Press. Pp. xvi + 367. \$99.99.

Chakravarty argues that Rwanda's transitional courts that tried genocide crimes—the gacaca—produced social complicity and cemented authoritarian rule. Using previously untapped data, she finds that a decade of mass trials constructed a tacit patronage-driven relationship in which the interests of the citizenry became tied to the authoritarian elite that could grant or withdraw those benefits at will.

Clamp, Kerry, ed. 2016. *Restorative Justice in Transitional Settings*. New York: Routledge. Pp. xviii + 226. \$145.00 cloth.[WorldCat]

Contributors to Clamp's volume examine the conceptual challenges in transporting restorative justice from a democratic setting to one that has been affected by mass victimization or civil war. These challenges include responding to the seriousness and scale of harms that have been caused, the blurred boundaries between victims and offenders, and the difficulties associated with holding someone to account and compelling reparative activities. Arguing that restorative justice has not been sufficiently developed for these settings, the essays seek to further develop and apply the concept.

Jockusch, Laura, and Gabriel N. Finder, eds. 2015. *Jewish Honor Courts: Revenge, Retribution, and Reconciliation in Europe and Israel After the Holocaust*. Detroit, MI: Wayne State University. Pp. vii + 387. \$36.99 paper.

In the aftermath of World War II, Jewish communities faced the difficult task of confronting collaborators among their own. European Jews established their own tribunals—honor courts—for dealing with collaborators, while Israel held dozens of trials of alleged collaborators under a law passed two years after its founding. In Jockusch and Finder's volume, scholars of Jewish social, cultural, political, and legal history examine this phenomenon, and the difficult decision making surrounding it.