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BOOK NOTES

CONSTITUTIONAL THEORY AND HISTORY

Ginsburg, Tom, Aziz Z. Huq, and Tarun Khaitan, eds. 2024. *The Entrenchment of Democracy: The Comparative Constitutional Design of Elections, Parties and Voting*. New York: Cambridge University Press, 2024. Pp. xiii + 268. $130.00 cloth; available as Open Access on Cambridge Core. Contributors to Ginsburg, Huq, and Khaitan's collection describe and analyze the body of constitutional law and practice within and upon democratic institutions, in particular examining how constitutional law shapes electoral democracy. The volume takes a thematic and regional approach: it selects a range of key theoretical questions related to democratic constitutional design and offers a series of chapters featuring a diverse range of voices, as well as a blend of theory, qualitative studies, and quantitative methods.

Price, Zachary S. *Constitutional Symmetry: Judging in a Divided Republic*. New York: Cambridge University Press, 2024. Pp. xii + 258. $39.99 paper. Price urges US judges to make decisions that work 'symmetrically' across major partisan and ideological divides instead of favoring one partisan coalition over the other. He argues that this approach will aid the political process, align with the role morality of judging, and advance the framers' hopes for the Constitution. Chapters explore how this approach can encourage new solutions to fraught debates over free speech, religious liberty, separation of powers, federalism, affirmative action, gun rights, abortion, parental rights, and the law of democracy.

Thornhill, Chris. *A Sociology of Post-Imperial Constitutions: Suppressed Civil War and Colonized Citizens.* New York: Cambridge University Press, 2024. Pp. viii + 561. $180.00 cloth. Covering the period from the eighteenth century to the present, Thornhill's volume examines how democratic constitutions were created by imperialism and military policies related to imperialism, arguing that in different locations and different periods, the constitutional ordering of citizenship both reflected and perpetuated warfare. It also isolates the features of constitutional systems that have been successful in separating democracy from its military origins, while considering ways in which, and the reasons why, many contemporary constitutions have begun to remilitarize their societies and to rearticulate military constructs of legitimacy.

CRIMINAL JUSTICE AND SOCIAL CONTROL

Boitin, Margaret L. *The Regulation of Prostitution in China: Law in the Everyday Lives of Sex Workers, Police Officers, and Public Health Officials*. New York: Cambridge University Press, 2024. Pp. xii + 407. $135.00 cloth. Boittin provides a case study of the role of law

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in Chinese everyday life and its impact on female sex workers, street-level police officers, and frontline public health officials, with a focus on how the laws that govern sex work affect those actors.

McClure, Alastair. *Trials of Sovereignty: Mercy, Violence, and the Making of Criminal Law in British India, 1857-1922*. New York: Cambridge University Press, 2024. Pp. xiii + 368. $135.00 cloth. McClure argues that officials and judges in British India consistently offered reduced sentences and pardons for select subjects, which conferred the colonial state with greater legitimacy. But mercy was always a contested expression of sovereign power that risked exposing colonial weakness, and this vulnerability was gradually recognized by colonial subjects who deployed a range of legal and political strategies to interrogate state power and question the lofty promises of British colonial justice.

Peters, Julie Stone. *Staging Witchcraft Before the Law: Skepticism, Performance as Proof, and Law as Magic in Early Modern Witch Trials.* New York: Cambridge University Press, 2024. Pp. vi + 72. $22.00 paper; available as Open Access on Cambridge Core. While the judicial machinery of early modern witch-hunting could work with terrifying swiftness, Peters argues that skepticism and evidentiary barriers often made conviction difficult. Seeking proof strong enough to overcome skepticism, judges and accusers turned to performance, staging 'acts of Sorcery and Witch-craft manifest to sense.' But performance sometimes overflowed the demands of doctrine, behaving in unpredictable ways, shown in a detailed examination of two cases – the 1591 case of the French witch-demoniac Françoise Fontaine and the 1593 case of John Samuel of Warboys.

Sarkany, Laszlo. *The Independence of the Prosecutor: Controversy in the Reaction of the International Criminal Court*. Vancouver, BC: UBC Press, 2024. Pp. x + 229. $89.95 cloth. Sarkany examines the negotiations that produced the novel institutional design of the International Criminal Court, which allows the ICC prosecutor to initiate investigations independently of any state's wishes. Focusing on Canada and the United Kingdom, which supported prosecutorial independence, and the United States and Japan, which opposed it, he finds that state positions depended on the values and principles of those who wielded the most power in national capitals at the time.

Solan, Lawrence M., Peter M Tiersma, and Tammy Gales. *Speaking of Crime: The Language of Criminal Justice. Second Edition.* Chicago: University of Chicago Press. 2025. Pp. xii + 410. $35.00 paper. Solan, Tiersma, and Gales examine the complex role of language within the US justice system, addressing such questions as: Does everyone understand the *Miranda* warning? Why do people confess to a crime they did not commit? Can linguistic experts identify who wrote an anonymous threatening letter? This second edition features discussions of recent cases, new legislation, and research advances, and a new chapter on who interprets the laws governing linguistic contexts.

JUDICIAL SELECTION

Kritzer, Herbert M. *Litigating Judicial Selection.* New York: Cambridge University Press, 2024. Pp. xviii + 284. $125.00 cloth. Through a comprehensive analysis of judicial-selection litigation over time and place, Kritzer examines the question of who should

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serve as a judge and how these judges should be chosen. Drawing on a data set of over 2,000 cases from around the world, the analysis offers in-depth statistical analysis and an extensive narrative description of several important case studies.

LAW AND CONSUMERS

Allensworth, Rebecca. *The Licensing Racket: How We Decide Who Is Allowed to Work, and Why It Goes Wrong.* Cambridge, MA: Harvard University Press, 2025. Pp. v + 289. $35.00 cloth. Drawing on interviews with US state licensing board members and applicants, Allensworth finds that the boards primarily protect insiders from competition and turn a blind eye to unethical behavior. She reports that even where there is the will to discipline bad actors, boards lack the resources needed to investigate serious cases and she finds that the consequences range from the infuriatingly banal—a hairdresser prevented from working—to the deeply shocking, with medical licensing boards bearing considerable blame for the opioid crisis and for staffing shortages during the COVID epidemic, and unethical lawyers being allowed to keep their licenses.

LAW AND INDIGENOUS PEOPLES

Dixon, Bradley J. *Republic of Indians: Empires of Indigenous Law in the Early American South.* Philadelphia, PA: University of Pennsylvania Press, 2024. Pp. ii + 308. $45.00 cloth. This book argues that Indigenous Southerners in the US became political players in legislative assemblies and the courts of distant monarchs, seeking exemptions from labor, protection for their land, and the right to install preferred leaders, avoid enslavement, ally with the Crown against colonists, ease harsh colonial laws, and even amend the terms of treaties and compacts. Dixon concludes that in the South, the Spanish and English empires came to resemble one another precisely because they were both dependent to a remarkable degree on maintaining Indigenous political consent and were founded in significant part on Indigenous conceptions of law.

LAW AND RELIGION

Akande, Rabiat. *Entangled Domains: Empire, Law and Religion in Northern Nigeria*. New York: Cambridge University Press, 2025. Pp. x + 317. £26.99 paper. Drawing on archival research, this book examines constitutional struggles triggered by the colonial state's governance of religion and interrogates the legacy of that governance agenda in the post-colonial state. Set in Colonial Northern Nigeria, Akande confronts a paradox: the state insisted on its separation from religion even as it governed its multi-religious population through what remained of the pre-colonial caliphate. Secularism emerges as a contested yet contingent mode of governing religion and religious difference.

Das Acevedo, Deepa. *The Battle for Sabarimala: Religion, Law, and Gender in Contemporary India*. Uttar Pradesh, India: Oxford University Press, 2024. Pp. xviii + 421. $55.00 cloth. Das Acevedo draws on ethnographic fieldwork, media archives, and legal analysis to tell a multifaceted narrative about one of contemporary India's most contentious disputes–a long running struggle over women's access to the Hindu

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temple at Sabarimala. The story is highlighted by a controversial 2018 Indian Supreme Court case that increased access to the temple, and the massive protests that followed. Reaching as far back as the eighteenth century, when the relationship between temple deities and the government was transformed by an ambitious precolonial ruler, the book engages the complexities of the dispute and the constitutional framework that defines it.

LAW AND WOMEN

Yacoob, Saadia. *Beyond the Binary: Gender and Legal Personhood in Islamic Law*. Oakland, CA: University of California Press, 2024. Pp. xi + 162. $34.95 paper. Yacoob's volume offers a restorative reading of Islamic law, arguing that its intersectional and relational understanding of legal personhood offers a productive space for Muslim feminists to move beyond critique and instead think with and through the Islamic legal tradition. The book explores a cross section of topics in ninth- to twelfth-century Hanafi legal thought, ranging from sexual crimes to consent to marriage, finding that early Muslim jurists imagined a world built not on a binary distinction between male and female but on intersecting hierarchies of gender, age, enslavement, lineage, class, and other social roles.

LEGAL PROFESSION

Dezalay, Sara. *Lawyering Imperial Encounters: Negotiating Africa's Relationship with the World Economy*. New York: Cambridge University Press, 2025. Pp. xii + 267. $130.00 cloth. Focused on sites of imperial encounters – in London, Paris, Abidjan, Bujumbura, Kinshasa, Johannesburg and the Hague, Dezalay provides an account of the the legacy of legal imperialism and British hegemony, and the uneven and unequal expansion of finance and global justice in the current rush for Africa's 'green' minerals. Tracking the role played by legal intermediaries in negotiating and justifying Africa's practical and symbolic subaltern position in the global economy, she focuses on the interconnectedness between political, legal and economic change in capitalism's cores and its peripheries.

Dodek, Adam. *Heenan Blaikie: The Making and Unmaking of a Great Canadian Law Firm*. Vancouver, BC: UBC Press, 2024. Pp. xi + 378. $39.95 cloth. Founded in 1973, Heenan Blaikie became one of Canada's highest-profile law firms, counting former prime ministers, premiers, cabinet ministers, and Supreme Court justices in its ranks. It was founded by idealistic lawyers and according to reports, was run like a family. However, in 2014 the firm dramatically collapsed. Drawing on interviews with firm lawyers and legal-industry insiders, Dodek finds that the firm buckled under weak governance and management: underneath its unique culture as a kinder, gentler law firm lay workplace bullying, challenges for women and minority lawyers, and sexual harassment.

STRATEGIES FOR PRESENTING RESEARCH FINDINGS

Douglas, Yellowlees. *Writing for the Reader's Brain: A Science-Based Guide*. New York: Cambridge University Press, 2024. Pp. iii + 286. $30.99 paper. Drawing on cognitive neuroscience, psychology, and psycholinguistics, Douglas offers a practical guide on

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how to write with the reader in focus. The book addresses such questions as: What makes one sentence easy to read and another a slog that demands rereading? Where do you put information you want readers to recall? What about details you need to reveal but want readers to forget? The goal is to improve he writer's style while also making the writing process speedier and more efficient.

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