RECENT PUBLICATIONS

A CONSTITUTION FOR ALL TIMES. By Pamela S. Karlan. Cambridge, Mass.: The MIT Press. 2013. Pp. xv, 183. $14.95. Following her analysis of the Roberts Court’s 2011 Term in these pages last year, Professor Pamela S. Karlan presents a broader exposition of her critique of the Court’s jurisprudence. This book compiles pieces originally published as contributions to the Boston Review’s “Karlan’s Court” column, addressing topics including constitutional interpretive method, electoral law, the Second Amendment, legal aid, and judicial appointments. Karlan also comments upon several recent cases from the Court’s latest term, including Shelby County v. Holder, Fisher v. University of Texas, Kiobel v. Royal Dutch Petroleum, and the gay marriage cases. Throughout, Karlan’s theme is a debunking of “slippery and misleading ‘originalism’” (p. 7), critiquing the interpretive stance as contrary to the inclusive, progressive egalitarianism that she identifies in the “promissory note” of the U.S. Constitution (quoting Dr. Martin Luther King, Jr., p. 162). As an explicitly progressive constitutional commentator, Karlan interprets the Constitution as an evolving institution, animated by the core “constitutional values” of “liberty, equality, opportunity, and inclusion” (p. 169), and seeks to rally the public to remember that historically, political movements outside the courts have “powerfully affected the decisions inside them” (p. 181). A Constitution for All Times succinctly conveys Karlan’s jurisprudential philosophy to the generalist reader.

LAW AND WAR. Edited by Austin Sarat, Lawrence Douglas, and Martha Merrill Umphrey. Stanford, Cal.: Stanford University Press. 2014. Pp. 234. $75.00. The capacity of law to humanize warfare has long been the challenging — and challenged — assumption at the heart of the laws of war. Law and War charges fearlessly into this conflict and seeks to examine the assumption from multiple angles. This timely volume brings together a remarkable set of legal scholars — Professors Sarah Sewall, Gabriella Blum, Laura K. Donohue, Samuel Moyn, and Larry May — to examine some of the most pressing dilemmas facing the field. Ultimately, the reader is left with the clear sense that while the laws of war have saved warfare from a legal void, they have also authorized it and deemed it lawful. Thus, the laws of war are a double-edged sword, as much a force for legitimization as for restraint. Law and War shows that this balance between the two forces continues to change as contemporary conflicts increasingly obscure the division between traditional warfare and domestic policing. This volume will prove an illuminating guide for scholars and policymakers alike as they seek to navigate the fog of war.