
RECENT PUBLICATIONS

WHY TOLERATE RELIGION? By Brian Leiter. Princeton, N.J.: Princeton University Press. 2013. Pp. xv, 187. \$24.95. Exemptions on religious grounds from facially neutral laws have long created significant controversy. Yet the Western democratic ethos has justified such exemptions on the basis of both a professed tolerance for all religious beliefs and the apparent need for such exemptions in a pluralistic society. *Why Tolerate Religion?* challenges the prevailing acceptance of religious exemptions from neutrally applied laws and policies. Professor Brian Leiter questions whether the disparate treatment of religious and secular-yet-conscientious objections can be justified by reference to principles of tolerance or respect. Drawing on philosophical, religious, and legal works, Professor Leiter concludes that “there is no principled reason for legal or constitutional regimes to single out religion for protection” (p. 66). Professor Leiter then deftly handles the implications of this conclusion, concisely explaining the tradeoffs inherent in alternatives to the established practice of permitting only religious exemptions. *Why Tolerate Religion?* is a readable book that exposes several tenuous assumptions underlying the predominant justifications for religious exemptions. At the same time, it provides a fresh and intuitive framework for analyzing conscience-based objections to facially neutral laws that should appeal to legal practitioners, jurists, and philosophers alike.

TRANSITIONS: LEGAL CHANGE, LEGAL MEANINGS. Edited by Austin Sarat. Tuscaloosa, Ala.: The University of Alabama Press. 2012. Pp. viii, 271. \$24.95. Political transitions are often thought to be moments of weakness for the law, yet law both shapes and is profoundly shaped by such transitions. In this collection of essays and responsive commentaries that spans presidential transitions, constitutional amendments, and regime changes, scholars explore the role of law in transitional episodes. The first two essays and their responses explore the transitional period between the election and inauguration of a new president, and in particular the rush of lame-duck rulemaking that often accompanies such transitions. The volume then shifts to consider constitutional amendments, with Professor Akhil Reed Amar, Professor Lindsey Ohlsson Worth, and Joshua Alexander Geltzer examining the enormous constitutional shift accompanying the end of the U.S. Civil War. The final two essays take a more global perspective, considering regime changes and the issues of transitional justice that arise within them, when the vindication of rights must be balanced against political concerns and the danger of retribution. This collection of extraordinary breadth calls for deeper scholarly inquiry into law at transitional moments.