Blinded by Sight
Seeing Race Through the Eyes of the Blind
OSAGIE K. OBASOGIE
Winner of the Law and Society Association’s 2015 Herbert Jacob Book Prize

In Blinded by Sight, Osagie K. Obasogie shares a startling observation made during discussions with people from all walks of life who have been blind since birth: even the blind aren’t colorblind—blind people understand race visually, just like everyone else. Rather than being visually obvious, both blind and sighted people are socialized to see race in particular ways, even to a point where blind people “see” race. 288 pp., 2014
9780804772792 Paper $24.95 $19.96 sale
9780804772785 Cloth $85.00 $68.00 sale

Wild Life
The Institution of Nature
IRUS BRAVERMAN

Wild Life documents a nuanced understanding of the wild versus captive divide in species conservation. It describes the emerging understanding that all forms of wild nature—both in situ (on-site) and ex situ (in captivity)—may need to be managed in perpetuity. Providing a unique window into the high-stakes world of nature conservation, Irus Braverman describes the heroic efforts by conservationists to save wild life. Yet in the shadows of such dedication and persistence in saving the life of species, Wild Life also finds sacrifice and death. Such life and death stories outline the modern struggle to define what conservation should look like at a time when the long-established definitions of nature have collapsed.

Wild Life begins with the plight of a tiny endangered snail and ends with the rehabilitation of an entire island. Interwoven between its pages are stories about golden lion tamarins in Brazil, black-footed ferrets in the American Plains, Sumatran rhinos in Indonesia, Tasmanian devils in Australia, and many more creatures both human and nonhuman. Braverman draws on interviews with more than one hundred and twenty conservation biologists, zoologists, zoo professionals, government officials, and wildlife managers to explore the various perspectives on in situ and ex situ conservation and the blurring of the lines between them.

344 pp., 2 tables, 2 figures, 25 illustrations, 2015
9780804795685 Paper $24.95 $19.96 sale
9780804795223 Cloth $85.00 $68.00 sale

Zooland
The Institution of Captivity
IRUS BRAVERMAN

This book takes a unique stance on a controversial topic: zoos. Zoos have their ardent supporters and their vocal detractors. And while we all have opinions on what zoos do, few people consider how they do it. Irus Braverman draws on more than seventy interviews conducted with zoo managers and administrators, as well as animal activists, to offer a glimpse into the otherwise unknown complexities of zooland.

280 pp., 1 table, 1 figure, 12 illustrations, 2012
9780804783583 Paper $24.95 $19.96 sale
9780804783576 Cloth $85.00 $68.00 sale
Laws of Image
Privacy and Publicity in America
SAMANTHA BARBAS

What if you suddenly found yourself on the front page of the New York Times? Or your picture was used to advertise a new product you'd never heard of? Though most Americans go about their lives privately, sometimes the limelight is thrust upon the unsuspecting and the unwilling, often in unflattering or humiliating ways. Today, Americans can successfully sue over being portrayed before the public in a way they find misrepresentative or upsetting. But it hasn't always been this way—the power to sue and protect public image is a relatively new development in the history of the United States. Just a few generations ago, Americans had no legal recourse if their image was used or misappropriated without their permission.

Laws of Image tells the story of how Americans came to use the law to protect and manage their images, feelings, and reputations. In this social, cultural, and legal history, Samantha Barbas ties the development of personal image law to the self-consciousness and image-consciousness that has become endemic in our media-saturated culture of celebrity and consumerism, where people see their identities as intertwined with their public images. The laws of image are the expression of a people who have become so publicity-conscious and self-focused that they believe they have a right to control their images—to manage and spin them like actors, politicians, and rock stars.

“Beautifully written and powerfully argued, Laws of Image shows us how the law develops through culture, leaving us with a rich sense of the struggle that remains as digital culture renders the image as common as the bit. Samantha Barbas charts the very origin of an increasingly important legal protection and the ongoing battle to counter a technology that knows no limits.”

—Lawrence Lessig, Harvard Law School

336 pp., 2015
9780804791441 Cloth $24.00  $19.20 sale
Letters of the Law
Race and the Fantasy of Colorblindness in American Law
SORA Y. HAN
In Letters of the Law, Sora Y. Han argues that colorblindness is a foundational fantasy of law that not only informs individual and collective ideas of race—but also structures the imaginative capacities of American legal interpretation. Han develops a critique of colorblindness by deconstructing the law’s central doctrines on due process, citizenship, equality, punishment and individual liberty, in order to expose how the ongoing struggle for abolition continues to haunt the law’s reliance on the fantasy of colorblindness.

Letters of the Law provides original readings of iconic Supreme Court cases on racial inequality—spanning Japanese internment to affirmative action, policing to prisoner rights, Jim Crow segregation to sexual freedom. Han provides readers with new perspectives on many urgent social issues. But more importantly, Han compels readers to reconsider how the diverse legacies of civil rights reform archived in American law might be rewritten as a heterogeneous practice of black freedom struggle.

Pregnant with the Stars
Watching and Wanting the Celebrity Baby Bump
RENÉE ANN CRAMER
Online and print magazines, television shows, and blogs are awash with gossip and speculation about pregnant celebrities. Pregnant with the Stars examines the American fascination with—and judgment of—celebrity pregnancy. It exposes how a seemingly innocent interest in “baby bumps” reinforces troubling standards about femininity, race, and class, while increasing the surveillance and regulation of women in society as a whole.

Investigating and comparing the media coverage of pregnant celebrities, including Jennifer Garner, Angelina Jolie, Beyoncé, Kristen Bell, M.I.A., Jodie Foster, and Mila Kunis, Renée Ann Cramer shows how women are categorized and defined by their pregnancies. She exposes how cultural ideas like the “rockin’ post-baby body” are not only unattainable; they are a means of social control.

Combining cultural and legal analysis, Pregnant with the Stars uncovers a world where seeing, judging, and discussing the “baby bump” isn’t merely frivolous celebrity gossip—it is an act of surveillance, commodification, and control.

“Americans have voraciously consumed images of gorgeous, famous pregnant bodies—Demi to Kiera—while ordinary women have officially lost rights, dignity, and safety as fertile persons. Renée Ann Cramer cracks open interpretations of this development, inviting us to consider the consequences of celebrating those beyond our reach, while millions of real women are threatened with ignobility and ignominy.”

—Rickie Solinger, author of Reproductive Politics: What Everyone Needs to Know
Our Word Is Our Bond
How Legal Speech Acts
MARIANNE CONSTABLE

Words can be misspoken, misheard, misunderstood, or misappropriated; they can be inappropriate, inaccurate, dangerous, or wrong. When speech goes wrong, law often steps in as itself a speech act or series of speech acts. Our Word Is Our Bond offers a nuanced approach to language and its interaction and relations with modern law. Marianne Constable argues that, as language, modern law makes claims and hears claims of justice and injustice, which can admittedly go wrong. Constable proposes an alternative to understanding law as a system of rules, or as fundamentally a policy-making and problem-solving tool. Constable introduces and develops insights from Austin, Cavell, Reinach, Nietzsche, Derrida, and Heidegger to show how claims of law are performative and passionate utterances or social acts that appeal implicitly to justice. Our Word Is Our Bond explains that neither law nor justice are what lawyers and judges say, nor what officials and scholars claim they are.

Law and the Utopian Imagination
EDITED BY AUSTIN SARAT, LAWRENCE DOUGLAS, AND MARTHA MERRILL UMPHREY

Law and the Utopian Imagination seeks to explore and resuscitate the notion of utopianism within current legal discourse. The idea of utopia has fascinated the imaginations of important thinkers for ages. And yet—who writes seriously on the idea of utopia today?

Belief in the very possibility of utopian achievements appears to have flagged in the face of a world marked by political instability, social upheaval, and dreary market realities. Instead of mapping out the contours of a familiar terrain, this book seeks to explore the possibilities of a productive engagement between the utopian and the legal imagination. This volume hopes to revive interest in a vital topic of inquiry too long neglected by both social thinkers and legal scholars.

Law and War
EDITED BY AUSTIN SARAT, LAWRENCE DOUGLAS, AND MARTHA MERRILL UMPHREY

Law and War explores the cultural, historical, spatial, and theoretical dimensions of the relationship between law and war—a connection that has long vexed the jurisprudential imagination. Historically the term “war crime” struck some as redundant and others as oxymoronic: redundant because war itself is criminal; oxymoronic because war submits to no law. More recently, the remarkable trend toward the juridification of warfare has emerged, as law has sought to stretch its dominion over every aspect of the waging of armed struggle. No longer simply a tool for judging battlefield conduct, law now seeks to subdue warfare and to enlist it into the service of legal goals. Law has emerged as a force that stands over and above war, endowed with the power to authorize and restrain, to declare and limit, to justify and condemn.

The Secrets of Law
EDITED BY AUSTIN SARAT, LAWRENCE DOUGLAS, AND MARTHA MERRILL UMPHREY

THE CULTURAL LIVES OF LAW
232 pp., 2014
9780804790819 Cloth $75.00 $60.00 sale

288 pp., 2012
9780804782593 Cloth $65.00 $52.00 sale

THE AMHERST SERIES IN LAW, JURISPRUDENCE, AND SOCIAL THOUGHT

LAW AND SOCIETY

5
Incentivizing the “progress of science and the useful arts” has been the goal of intellectual property law since our constitutional beginnings. The Eureka Myth cuts through the current debates and goes straight to the source: the artists and innovators themselves. Jessica Silbey makes sense of the intersections between intellectual property law and creative and innovative activity by centering on the stories told by artists, scientists, employers, lawyers and managers, describing how and why they create and innovate and whether or how IP law plays a role in their activities. Their employers, business partners, managers, and lawyers also describe their role in facilitating the creative and innovative work. Silbey’s connections and distinctions made between the stories and statutes serve to inform present and future innovative and creative communities. Breaking new ground in its examination of the U.S. economy and cultural identity, this book draws out new and surprising conclusions about the misinterpreted relationships between creativity and intellectual property protections.

The Eureka Myth
Creators, Innovators, and Everyday Intellectual Property
JESSICA SILBEY

Your Rugged Constitution
BRUCE FINDLAY AND ESTHER BLAIR FINDLAY
Your Rugged Constitution was first published sixty-four years ago. It quickly became a go-to resource for generations of young Americans (and some older ones too) who wanted to understand the guiding principles of our nation. Now in reissue, this truly rugged and much-admired classic is sure to inform, and also delight readers with its retro 1950s ethos. The text of the Constitution is accompanied by descriptions in clear, easy-to-understand language, commentary, and lively drawings so you can easily grasp all the ideas and concepts. Under each section and clause, you (yes, you, fellow American!) learn which powers you give to the federal government, and what you get in return. Your Rugged Constitution shows that the Constitution is no mere historical document, but an important contract between you and your government.

Your Rugged Constitution
BRUCE FINDLAY AND ESTHER BLAIR FINDLAY

Gruesome Spectacles
Botched Executions and America’s Death Penalty
AUSTIN SARAT
Gruesome Spectacles is a history of botched, mismanaged, and painful executions in the U.S. from 1890–2010. Using new research, Austin Sarat traces the evolution of methods of execution that were employed during this time and were meant to improve on the methods that went before, from hanging or firing squad to electrocution to gas and lethal injection. Even though each of these technologies was developed to “perfect” state killing by decreasing the chance of a cruel death, an estimated three percent of all American executions went awry in one way or another. Sarat recounts the gripping and truly gruesome stories of some of these deaths—stories obscured by history and to some extent, the popular press.

California School Law
Third Edition
FRANK KEMERER AND PETER SANSOM
592 pp., 5 figures, 2013
9780804785150 Paper $29.95 $23.96 sale
9780804785143 Cloth $90.00 $72.00 sale
Capitalism v. Democracy
Money in Politics and the Free Market Constitution
TIMOTHY K. KUHNER
As of the latest national elections, it costs approximately $1 billion to become president, $10 million to become a senator, and $1 million to become a member of the house. High-priced campaigns, an elite class of donors and spenders, super PACs, and increasing corporate political power have become the new normal in American politics. In Capitalism v. Democracy, Timothy Kuhner explains how these conditions have corrupted American democracy, turning it into a system of rule that favors the wealthy and marginalizes ordinary citizens.

“This book made me realize just how dangerous supreme courts can be for matters of inequality and democracy.”

—Thomas Piketty, Author of Capitalism in the Twenty-First Century

376 pp., 2014
9780804791564 Paper $27.95 $22.36 sale
9780804780667 Cloth $90.00 $72.00 sale

The Puzzle of Unanimity
Consensus on the United States Supreme Court
PAMELA C. CORLEY, AMY STEIGERWALT, AND ARTEMUS WARD
216 pp., 19 tables, 12 figures, 2013
9780804784726 Cloth $50.00 $40.00 sale

Attacking Judges
How Campaign Advertising Influences State Supreme Court Elections
MELINDA GANN HALL
Winner of the American Political Science Association’s 2015 C. Herman Pritchett Award
Nasty, below-the-belt campaigns, mud-slinging, and character attacks. These tactics have become part and parcel of today’s election politics in America, and judicial elections are no exception. Attacking Judges takes a close look at the effects of televised advertising, including attack ads, on state supreme court elections and investigates whether these divisive elections have damaging consequences for representative democracy. Focusing on two key aspects of those elections—the vote shares of justices seeking reelection and the propensity of state electorates to vote—Melinda Gann Hall explores vital dimensions of the conventional wisdom that campaign politics has deleterious consequences for judges, voters, and state judiciaries.

“This impressive book is among the first to give judicial elections the serious scholarly attention they deserve. It’s a must read!”

—James L. Gibson, Washington University in St. Louis

264 pp., 15 tables, 14 figures, 2014
9780804793087 Paper $27.95 $22.36 sale
9780804787956 Cloth $90.00 $72.00 sale

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264 pp., 15 tables, 14 figures, 2014
9780804793087 Paper $27.95 $22.36 sale
9780804787956 Cloth $90.00 $72.00 sale
Central American countries have long defined health as a human right. But in recent years, regional trade agreements have ushered in aggressive intellectual property reforms, undermining this conception. Looking at events in Costa Rica, El Salvador, and Guatemala, Angelina Godoy argues that human rights advocates need to approach intellectual property law as more than simply a roster of regulations. IP represents the cutting edge of a global tendency to value all things in market terms: Life forms—from plants to human genetic sequences—are rendered commodities, and substances necessary to sustain life—medicines—are restricted to ensure corporate profits. If we argue only over the terms of IP protection without confronting the underlying logic governing our trade agreements, then human rights advocates will lose even when they win.

If God Were a Human Rights Activist

Boaventura de Sousa Santos

We live in a time when the most appalling social injustices and unjust human sufferings no longer seem to generate the moral indignation and the political will needed both to combat them effectively and to create a more just and fair society. *If God Were a Human Rights Activist* aims to strengthen the organization and the determination of all those who have not given up the struggle for a better society, specifically those that have done so under the banner of human rights. It discusses the challenges to human rights arising from religious movements and political theologies that claim the presence of religion in the public sphere. Increasingly globalized, such movements and the theologies sustaining them promote discourses of human dignity that rival, and often contradict, the one underlying secular human rights.

Conventional or hegemonic human rights thinking lacks the necessary theoretical and analytical tools to position itself in relation to such movements and theologies; even worse, it does not understand the importance of doing so. It applies the same abstract recipe across the board, hoping that thereby the nature of alternative discourses and ideologies will be reduced to local specificities with no impact on the universal canon of human rights. As this strategy proves increasingly lacking, this book aims to demonstrate that only a counter-hegemonic conception of human rights can adequately face such challenges.

**Stanford Studies in Human Rights**

152 pp., 2015
9780804795005 Paper $19.95
9780804793261 Cloth $65.00

$15.96 sale

$52.00 sale

Of Medicines and Markets

Intellectual Property and Human Rights in the Free Trade Era

Angelina Snodgrass Godoy

Central American countries have long defined health as a human right. But in recent years, regional trade agreements have ushered in aggressive intellectual property reforms, undermining this conception. Looking at events in Costa Rica, El Salvador, and Guatemala, Angelina Godoy argues that human rights advocates need to approach intellectual property law as more than simply a roster of regulations. IP represents the cutting edge of a global tendency to value all things in market terms: Life forms—from plants to human genetic sequences—are rendered commodities, and substances necessary to sustain life—medicines—are restricted to ensure corporate profits. If we argue only over the terms of IP protection without confronting the underlying logic governing our trade agreements, then human rights advocates will lose even when they win.

**Stanford Studies in Human Rights**

208 pp., 4 tables, 4 figures, 2013
9780804785617 Paper $24.95
9780804785600 Cloth $80.00

$19.96 sale

$64.00 sale
The Rise and Fall of Human Rights
Cynicism and Politics in Occupied Palestine
LORI ALLEN

Winner of the Association for Political and Legal Anthropology’s 2014 Book Prize

The Rise and Fall of Human Rights provides a groundbreaking ethno-graphic investigation of the Palestinian human rights world—its NGOs, activists, and “victims,” as well as their politics, training, and discourse—since 1979. In failing to end the Israeli occupation or establish an accountable Palestinian government, the human rights industry has become the object of cynicism for many Palestinians. But far from indicating apathy, such cynicism generates a productive critique of domestic politics and Western interventionism. This book illuminates the successes and failures of Palestinians’ varied engagements with human rights in their quest for independence.

Digging for the Disappeared
Forensic Science after Atrocity
ADAM ROSENBLATT

The mass graves from our long human history of genocide, massacres, and violent conflict form an underground map of atrocity that stretches across the planet’s surface. In the past few decades, due to rapidly developing technologies and a powerful global human rights movement, the scientific study of those graves has become standard in post-conflict international assistance. Digging for the Disappeared provides readers with a window into this growing but little-understood form of human rights work, including the dangers and sometimes unexpected complications that arise as evidence is gathered and the dead are named.

Adam Rosenblatt examines the ethical, political, and historical foundations of the rapidly growing field of forensic investigation, from the graves of the “disappeared” in Latin America to genocides in Rwanda and the former Yugoslavia to post-Saddam Hussein Iraq. He draws on interviews with key players in the field to present a new way to analyze and value the work forensic experts do at mass graves, shifting the discussion from an exclusive focus on the rights of the living to a rigorous analysis of the care of the dead. Rosenblatt tackles these heady, hard topics in order to extend human rights scholarship into the realm of the dead and the limited but powerful forms of repair available for victims of atrocity.

“This book is as bottomless and as urgent as the grief of those whose loved ones lie in mass graves.”
—Elaine Scarry, Harvard University

STANFORD STUDIES IN HUMAN RIGHTS
304 pp., 3 illustrations, 2015
9780804794916 Paper $24.95 $19.96 sale
9780804788779 Cloth $85.00 $68.00 sale
The Italian Legal System
An Introduction
Second Edition

MICHAEL A. LIVINGSTON,
PIER GIUSEPPE MONTANERI,
AND FRANCESCO PARISI

For fifty years, the first edition of this volume has been the gold standard among English-language works on the Italian legal system. The book’s original authors, Mauro Cappelletti, John Henry Merryman, and Joseph M. Perillo, provided not only an overview of Italian law, but a definition of the field. This fully updated and revised second edition describes the substantial changes in Italian law and society in the intervening five decades—including the creation and impact of the European Union, as well as important advances in comparative law methodology. The second edition poses timely, relevant questions of whether and to what extent the unique Italian style of law has survived the pressures of European unification, American influence, and the globalization of law and society in the intervening period.

336 pp., 2015
9780804774956 Cloth $60.00 $48.00 sale

International Law and the Future of Freedom
JOHN H. BARTON
EDITED BY AND WITH AN INTRODUCTION BY HELEN M. STACY AND HENRY T. GREELY

International Law and the Future of Freedom is the late John H. Barton’s exploration into ways to protect our freedoms in the new global international order. This book forges a unique approach to the problem of democracy deficit in the international legal system as a whole—looking at how international law concretely affects actual governance.

Barton defines the new and changing needs to assert our freedoms and the appropriate international scopes of our freedoms in the context of the three central issues that our global system must resolve: the balance between security and freedom, the balance between economic equity and opportunity, and the balance between community and religious freedom.

280 pp., 2014
9780804776691 Cloth $60.00 $48.00 sale

Nation and Family
Personal Law, Cultural Pluralism, and Gendered Citizenship in India
NARENDRA SUBRAMANIAN

400 pp., 7 tables, 1 figure, 2014
9780804788786 Cloth $65.00 $52.00 sale

Competition and the State
EDITED BY THOMAS K. CHENG,
IOANNIS LIANOS, AND D. DANIEL SOKOL

Competition and the State analyzes the role of the state across a number of dimensions as it relates to competition law and policy. This book re-conceptualizes the interaction between competition law and government activities in light of the profound transformation of the conception of state action in recent years by looking to the challenges of privatization, new public management, and public-private partnerships. It also examines one of the most controversial policy issues within the competition and regulatory sphere—the role of competition law and policy in the financial sector.

GLOBAL COMPETITION LAW AND ECONOMICS
304 pp., 2014
9780804789394 Cloth $55.00 $44.00 sale

Competition Law and Development
EDITED BY D. DANIEL SOKOL,
THOMAS K. CHENG, AND IOANNIS LIANOS

GLOBAL COMPETITION LAW AND ECONOMICS
328 pp., 13 tables, 7 figures, 2013
9780804785716 Cloth $55.00 $44.00 sale
**Better Left Unsaid**  
*Victorian Novels, Hays Code Films, and the Benefits of Censorship*  
**Nora Gilbert**

Better Left Unsaid is in the unseemly position of defending censorship from the central allegations that are traditionally leveled against it. Taking two genres generally presumed to have been stymied by the censor’s knife—the Victorian novel and classical Hollywood film—this book reveals the varied ways in which censorship, for all its blustery self-righteousness, can actually be good for sex, politics, feminism, and art.

In comparing these two versions of censorship, Nora Gilbert explores the paradoxical effects of prohibitive practices. Rather than being ruined by censorship, Victorian novels and Hays Code films were stirred and stimulated by the very forces meant to restrain them.

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**Juridical Humanity**  
*A Colonial History*  
**Samara Esmeir**

In colonial Egypt, the state introduced legal reforms that claimed to liberate Egyptians from the inhumanity of pre-colonial rule and elevate them to the status of human beings. These legal reforms distinguished freedom from force and the human from the pre-human, endowing modern law with the power to accomplish, but never truly secure, this transition.

Samara Esmeir offers a historical and theoretical account of the colonizing operations of modern law in Egypt. Investigating the law, both on the books and in practice, she underscores the centrality of the “human” to Egyptian legal and colonial history and argues that the production of “juridical humanity” was a constitutive force of colonial rule and subjugation. This original contribution queries long-held assumptions about the entanglement of law, humanity, violence, and nature, and thereby develops a new reading of the history of colonialism.