

Spring 2016

Table of Contents, Editor's Note and Preface

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TULSA LAW REVIEW

Volume 51

Winter 2016

Number 2

BOOK REVIEW

Editor's Note		ix
Preface by Co-editors	<i>Ken I. Kersch & Linda C. McClain</i>	xi
List of Books Reviewed		xiii

THE U.S. CONSERVATIVE ASCENDENCY

Modernist Forms of Thinking and Their Critics in Mid-Twentieth Century America	<i>Kunal M. Parker</i>	209
Rethinking Royal Power and the American Revolution	<i>Clement Fatovic</i>	225

STATE-BUILDING AND GEOGRAPHY

Territory Delimited	<i>Bartholomew Sparrow</i>	241
A Thousand American Flowers	<i>Amy Bridges</i>	249

CRIMES IN CYBERSPACE

Taming the Wild West: Online Excesses, Reactions and Overreactions	<i>Catherine J. Ross</i>	267
---	--------------------------	-----

COMPARATIVE LAW AGENDAS

From Renaissance to Enlightenment?	<i>Lisa Hilbink</i>	281
------------------------------------	---------------------	-----

U.S. CONSTITUTIONAL PRACTICE AND CULTURE

Lost But Not (Yet) Forgotten	<i>Susan McWilliams</i>	293
On the Care and Maintenance of Constitutions	<i>John E. Finn</i>	301

THE AMERICAN CIVIL WAR: ENDINGS AND BEGINNINGS

The Ten Year War: What if Lincoln Had Not Exited After Four Years? *Sanford Levinson* 313

DEMOCRATIC INSTITUTIONS

Are Women Silent or Silenced? *Susan Gluck Mezey* 339

Can American Political Parties Disagree But Still Get Along? *David A. Hopkins* 349

Addressing Conservatives and (Mis)using Social Science in the Debate Over Campaign Finance *Michael M. Franz* 359

Of Rules and Representation (and Dysfunction) in the United States Senate *Daniel Wirls* 373

Making Government Secrecy and Countersubversion Safe for Democracy *M. Elizabeth Sanders* 385

BODIES, CONTRACTS, FAMILIES, AND MARKETS

The Social Life of Blood, Milk & Sperm *Martha M. Ertman* 393

For the Love of Contract *Zvi H. Triger* 407

Forward-Looking Family Law *Meredith Johnson Harbach* 419

MIGRANTS, REFUGEES, AND ASYLUM

Grappling with Global Migration: Judicial Predispositions, Regulatory Regimes, and International Law Systems *Leila Kawar* 435

INTELLECTUAL PROPERTY AND INNOVATION

Everyday Intellectual Property *Debora Halbert* 447

Patents as Commercial Assets in Political, Legal and Social Contexts *Adam Mossoff* 455

A WORLD OF COURTS

A New Age of International Courts? *Wayne Sandholtz* 471

LEGAL PROFESSION/LEGAL EDUCATION

Three Views of the Academy: Legal Education
and the Legal Profession in Transition *Barbara Glesner Fines* 487

THE PROBLEM OF LEGAL OBEDIENCE

Understanding the Force of Law *Tom R. Tyler* 507

International Law and the Great War *Jennifer L. Erickson* 521

RACE, RACISM, AND LAW

The Social Transmission of Racism *Lisa C. Ikemoto* 531

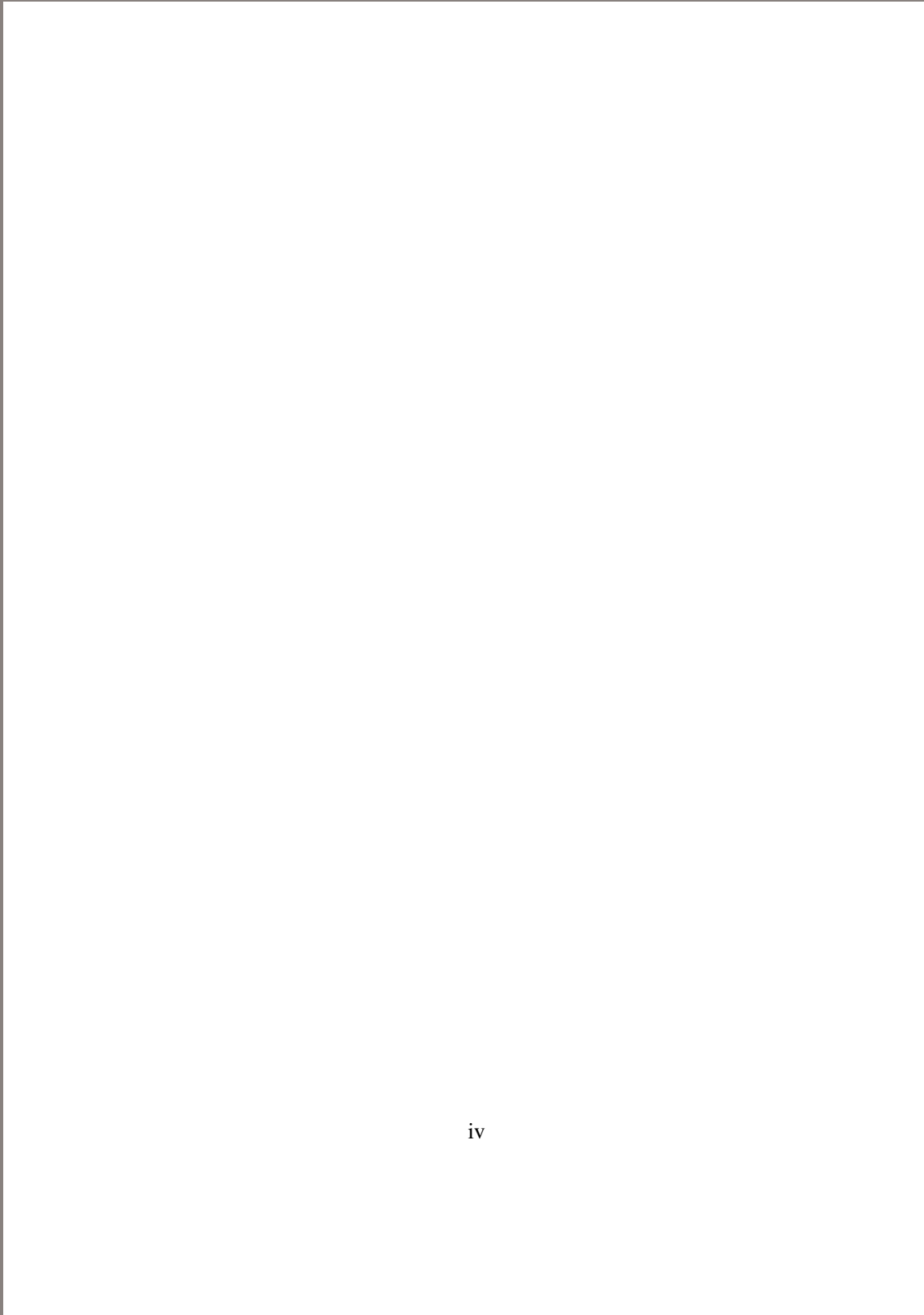
The Role of the Courts in Creating Racial Identity
in Early New Orleans *Jack M. Beermann* 545

STATUTORY INTERPRETATION

Why Does Congress Vote on Some Texts But Not
Others? *John F. Manning* 559

COMMENT

Along for the Ride: Regulating Transportation
Network Companies *Katherine E. O'Connor* 579



TULSA LAW REVIEW

Volume 51

Winter 2016

Number 2

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Editor's Note

This issue marks the *Tulsa Law Review's* seventh edition of its much celebrated and lauded annual book review. We remain one of the few journals that provide an exclusive forum for book reviews. The essays included in this issue examine some of the most important books published within the last couple of years. Focusing on racial and gender issues in the law, to intellectual property concerns, to the true weight of Lincoln's presidency, the legal scholarship found in this issue runs the gamut of pertinent, fascinating legal issues. Each review provides a carefully crafted commentary, sure to catch the attention of any reader. The driving force behind each book review included within the pages of this issue is to add insightful commentary of some of the most important legal discussions today. We are honored to provide a forum for the authors' voices in such significant and critical conversations.

This issue marks the last year of Professors Linda McClain and Ken Kersch's tenure as co-editors of the book review. Their skills in pairing thought-provoking literature with some of the most preeminent scholars today truly are unparalleled—they will be greatly missed. We are excited to welcome Julie Novkov and Stuart Chinn to the *Tulsa Law Review* team as the new co-editors of our book review issue beginning with volume 52.

I would like to personally thank each author. I could not have imagined working with a more inspiring group of scholars that put so much thought into each word of their essays. I enjoyed working with each of you and cannot thank you enough for all of your help in making this issue truly great. I would like to extend a special thank you to each and every member of editorial staff—this issue would not be possible without the endless hours spent by each and every one of you in carefully editing and compiling this issue.

—Alia Heintz
Editor in Chief
Tulsa Law Review

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Preface

Ken I. Kersch and Linda C. McClain*

With this Preface, we introduce the sixth annual book review issue of the *Tulsa Law Review* and our third co-edited issue. For readers new to the annual book review issue, its genesis dates back to Professor Sanford (Sandy) Levinson lamenting the degree to which law reviews—most prominently the *Michigan Law Review*—were sharply cutting down on the space they were devoting to book reviews at a time when as law professors were publishing more and more books.¹ This was also unfortunate because thematic review essays on books, whether on a single book or on several books brought into dialogue with each other, are a way of giving books the sustained critical attention they deserve, of integrating them into broader scholarly (and public) conversations and debates, within law and across disciplines, and showing how they matter. Happily, at the invitation of the *Tulsa Law Review*, Sandy (soon joined by Professor Mark Graber, who, like Sandy, was dually trained in both law and political science) started the annual book review edition of the *Tulsa Law Review*. In introducing their first co-edited issue (Volume 46), Sandy and Mark expressed confidence that these reviews would play a useful role in liberally educating the profession, providing law professors, political scientists, philosophers, historians, sociologists, and others the opportunity to engage each other “on subjects of mutual interest and concern.”² They also saw such reviews as part of an important movement away from disciplinary divides and toward broader conversation among “scholars of law in a variety of disciplines and institutional locations” who increasingly viewed each other as a “relevant” reference group and audience.³ Sandy and Mark co-edited three issues that, we believe, vindicated their expectations.

Since Sandy and Mark passed the baton to us in the fall of 2012, we have endeavored to carry forward the interdisciplinary conversation that they envisioned. As in our two prior co-edited issues (Volumes 49 and 50), in this issue, both the books under review and reviewers come from an array of disciplinary backgrounds—from law, to be sure, but also from political science, history, philosophy, and anthropology. To the extent possible, we have

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1. Sanford Levinson, *The Vanishing Book Review in Student-Edited Law Reviews and Potential Responses*, 87 *TEX. L. REV.* 1205 (2009).

2. Mark A. Graber & Sanford Levinson, *Selection Biases*, 45 *TULSA L. REV.* 57, 575 (2010).

3. *Id.* at 577.

also carried on the practice of grouping books for review together when they address similar problems, or different problems that speak to each other in interesting ways. In this sixth issue, twenty-six reviewers evaluate forty-six books. The subject matter of these books is diverse, ranging from historical topics, such as the impact of royalist thought on the American revolution and the dynamics of Progressive-era state-building to present-day issues such as the social construction of race and controversies over regulating hate crimes in cyberspace. The books reviewed here also reach beyond national borders, both in focusing, within the U.S., on state constitutions and state courts, and, beyond the U.S., on comparative constitutional law, international courts, and global migration. We are particularly delighted that Sandy Levinson has contributed to this issue a characteristically thought-provoking essay on three recent books about Lincoln. We thank all of our reviewers for engaging with the books under review creatively and carefully. We hope that the essays in this issue provide readers with a taste of the richness and dynamism that scholars from across the university and the wider intellectual world continue to generate in work that can inform and deepen our thinking about law. The essays in this issue, we believe, may be read with profit—and enjoyment—by scholars from just about any discipline with an interest in law and related subjects.

This issue is the final issue that we will be co-editing. Following Sandy and Mark's example, we believe that rotation in office after a term of three years is salutary. Thus, we are delighted to announce that the new editors of the *Tulsa Law Review*, beginning with Volume 52 (which will be published in early 2017) are Professors Stuart Chinn, of the University of Oregon School of Law, and Julie Novkov, Department of Political Science (Chair) and Department of Women's, Gender, and Sexuality Studies, University at Albany. Both Professor Chinn and Novkov are dually trained in law and political science; both share a commitment to interdisciplinary exchange and to the importance of publishing and reviewing scholarly books. We are confident that the annual book review issue will flourish under their co-editorship.

Finally, we would like to thank Alia Heintz, Editor-in-Chief of the *Tulsa Law Review*, and her staff for their work on bringing this issue to publication.

List of Reviewed Books

Karen J. Alter <i>The New Terrain of International Law: Courts, Politics, Rights</i>	471
Kenneth R. Aslakson <i>Making Race in the Courtroom: The Legal Construction of Three Races in Early New Orleans</i>	545
Sotirios A. Barber <i>Constitutional Failure</i>	301
Christopher Beauchamp <i>Invented By Law: Alexander Graham Bell and the Patent That Changed America</i>	455
June Carbone & Naomi Cahn <i>Marriage Markets: How Inequality is Remaking the American Family</i> .	419
Danielle Keats Citron <i>Hate Crimes in Cyberspace</i>	267
Mariano-Florentino Cuéllar <i>Governing Security: The Hidden Origins of American Security Agencies</i>	385
Marie Bénédicte Dembour <i>When Humans Become Migrants: Study of the European Court of Human Rights With an Inter-American Counterpoint</i>	435
Gregory P. Downs <i>After Appomattox: Military Occupation and the Ends of War</i>	313
Stuart Elden <i>The Birth of Territory</i>	241
Martha M. Ertman <i>Love's Promises: How Formal and Informal Contracts Shape All Kinds of Families</i>	407
Alex Goodall <i>Loyalty and Liberty: American Countersubversion from World War I to the McCarthy Era</i>	385

Rebecca Hamlin
Let Me Be a Refugee: Administrative Justice and the Politics of Asylum in the United States, Canada, and Australia 435

Amy Adele Hasinoff
Sexting Panic: Rethinking Criminalization, Privacy and Consent 267

Ran Hirschl
Comparative Matters: The Renaissance of Comparative Constitutional Law 281

Isabel V. Hull
A Scrap of Paper: Breaking and Making International Law During the Great War 521

Clare Huntington
Failure to Flourish: How Law Undermines Family Relationships 419

Christopher F. Karpowitz & Tali Mendelberg
The Silent Sex: Gender, Deliberation & Institutions 339

George Kateb
Lincoln's Political Thought 313

Robert A. Katzmann
Judging Statutes 559

Kevin M. Kruse
One Nation Under God: How Corporate America Invented Christian America 209

Timothy K. Kuhner
Capitalism v. Democracy: Money in Politics and the Free Market Constitution 359

Adam Laats
The Other School Reformers: Conservative Activism in American Education 209

Louis P. Masur
Lincoln's Last Speech: Wartime Reconstruction and the Crisis of Reunion 313

Banks Miller, Linda Camp Keith, & Jennifer S. Holmes
Immigration Judges and U.S. Asylum Policy 435

James E. Moliterno
The American Legal Profession in Crisis: Resistance and Responses to Change 487

Russell Muirhead
The Promise of Party in a Polarized Age 349

Carol Nackenoff & Julie Novkov, Editors
Statebuilding from the Margins: Between Reconstruction and the New Deal 249

Eric Nelson
The Royalist Revolution: Monarchy and the American Founding..... 225

Osagie K. Obasogie
Blinded by Sight: Seeing Race Through the Eyes of the Blind..... 531

Robert Post
Citizens Divided: Campaign Finance Reform and the Constitution 359

Deborah L. Rhode
Lawyers as Leaders 487

Rahul Sagar
Secrets and Leaks: The Dilemma of State Secrecy 385

Frederick Schauer
The Force of Law 507

Reuel Schiller
Forging Rivals: Race, Class, Law, and the Collapse of Postwar Liberalism 209

Wendy J. Schiller & Charles Stewart III
Electing The Senate: Indirect Democracy before the Seventeenth Amendment 373

Jessica Silbey
The Eureka Myth: Creators, Innovators, and Everyday Intellectual Property 447

Steven S. Smith
The Senate Syndrome: The Evolution of Procedural Warfare in the Modern U.S. Senate 373

Robert Wald Sussman
The Myth of Race: The Troubling Persistence of an Unscientific Idea . 531

Kara W. Swanson
Banking on the Body: The Market in Blood, Milk, and Sperm in Modern America 393

Zephyr Teachout
Corruption in America: From Benjamin Franklin’s Snuff Box to Citizens United..... 359

George Thomas
Constituting the American Mind: The Founders and the Idea of a National University..... 301

Robert L. Tsai
America’s Forgotten Constitutions 293

Robin L. West
Teaching Law: Justice, Politics, and the Demands of Professionalism . 487

Emily Zackin
Looking for Rights in All the Wrong Places: Why State Constitutions Contain America’s Positive Rights 249

Emily Zeigler
The Lost History of the Abortion Debate 209