

wonder whether John Locke's old advice that "the opprobrious name of fanatics ... might with more prudence be laid aside and forgotten than made use of" (quoted at p. 38) would not deserve a more serious consideration in today's already polarized and names-throwing political life.

All in all, such shortcomings and some distracting repetitions of ideas and quotes aside (e.g., Pocock on pp. 92 and 97 or Dostoevsky's Kirillov on pp. 115 and 122), Goldsmith's *Fanaticism* represents a significant and timely contribution to a much sought-after balance between "the fanatic and the zombie," as Alain Finkielkraut aptly put it (*The Defeat of the Mind*, 1995). It also serves as a reminder that, as one of Dostoevsky's characters quoted in Goldsmith's book phrases it, "The first [fire] is in people's minds, not on the rooftops" (p. 121).

The Idea of Prison Abolition. By Tommie Shelby. Princeton: Princeton University Press, 2022. 248p. \$29.95 cloth.
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The harms of incarceration have continuously been documented by policy practitioners, academics, activists, and abolitionists. Radical abolitionists argue for the eradication of incarceration as the dominant mode of punishment due to its structurally violent (racist, classist, sexist, ageist, ableist), vengeful (retributive justice model), and unjust foundations, behaviors, and outcomes. Angela Y. Davis has written extensively about the necessity of prison abolition (e.g., see *Are Prisons Obsolete?*, 2003, and *Abolition Democracy: Beyond Empire, Prisons and Torture*, 2005). Davis, along with other radical abolitionists and political prisoners such as Mumia Abu Jamal, Gina Dent, Ruth Wilson Gilmore, Erica R. Meiners, Beth E. Ritchie, and Assata Shakur have opposed prisons and prison reform since the 1960s, arguing that prisons are neither natural nor inevitable. They advocate for the necessity of prison abolition, now.

Tommie Shelby's *The Idea of Prison Abolition* (2022) is a Black critical theory analysis that uses "Afro-analytical Marxism" (p. 14) to engage with the idea of prison obsolescence, and abolition that Davis proposes in her writings, speeches, lectures, and interviews. Shelby is a reformist, arguing that he "continues to believe that incarceration has legitimate and socially necessary uses, including as punishment, and so prisons are not inherently unjust" (p. 15). His reformist position finds its way into his conclusions at every turn—from calling for a moratorium on prisons, to advocating for the adoption of non-profit private prisons. His book provides a close examination—yet not a full picture—of radical abolitionists' arguments.

The Idea of Prison Abolition initiates its philosophical critique in Chapter 1's analysis of Davis and other radical

Black abolitionists' claims that prisons are an extension of the systems of slavery and settler-colonialism. They argue that the whole of the criminal justice system is a systemic war against poor and Black, Indigenous, and Latinx people. Shelby argues that these objections initially manifested as calls to revolutionary action against the state and transformed into critiques of the on the ground practice of incarceration (p. 43). Chapters 2, 3, and 4 examine Davis and radical abolitionists' specific critiques of imprisonment, namely, that it is dehumanizing, has its roots in slavery, is functionally racist, and commodifies and privatizes incarceration for profit (the prison industrial complex). Chapter 5 looks at the essential question of whether we should have incarceration, by examining the efficacy of incarceration and alternatives as crime control measures. Shelby concludes by contending that prison abolition is utopian and explores both the merits and flaws of this proposal.

Taken individually, Shelby's chapters provide the reader with some productive reform considerations. In particular, his examination of radical abolitionists' functional critique of prisons is well constructed. He provides a detailed explanation of the structure and purpose of functionalist critiques. Additionally, radical abolitionists advocate for community service as acceptable forms of punishment. Shelby deftly situates the contention that prison labor is fundamentally wrong because it is forced labor within this assertion. These moments highlight Shelby's training and skill as a philosopher and theorist. The problem, however, lies when one considers the totality of his arguments in the context of overall treatment of crime and criminality. The crux of Shelby's argument relies on his ability to prove that the harms of incarceration are justifiable because it deters, incapacitates, and rehabilitates "criminals" (p. 52), yet he does not fully analyze this relationship until Chapter 5—a structural flaw that detracts from his argument. Moreover, his argument overemphasizes the prevalence of "serious crime" (p. 181), does not provide sufficient meaningful citations that support his assertions (see for example p. 154), and at points has recourse to denigrating language, such as "ordinary criminal" (p. 37), "ghetto denizen" (p. 36), and "criminal mentality" (p. 32).

Shelby also has a second underlying argument: prisons are not the same as slavery (pp. 68, 75, 78). I want to be clear: radical abolitionists are not arguing that they are the same, but rather that prisons' foundation, structure, and practices are the genealogical descendant of slavery. Shelby rightly posits this as "*genealogical critique*" (p. 79). The United States (and every other imperial/colonial power) is a nation founded on slave labor, genocide, land theft, patriarchy, and capital accumulation through privatization. As a result, what these societies understand as deviant (against social norms) and criminal (against the law) is steeped in the waters of racism, colonization, slavery, imperialism, and patriarchy (see for example Shelby's

summary of Davis on pages 100-101). Many of us are criminal not because of our behavior, but because of our existence. Shelby gets to this very point, yet rejects it in the same breath:

if the link between blackness and criminality is as strong as Davis suggests, then ending imprisonment for crimes won't be sufficient to break the link. For Black people to be fully free of this form of racism, not only would the criminal justice system need to be abolished altogether but the very idea of "crime"—that is serious law breaking—would have to be delegitimized or made obsolete as well. (p. 102)

This is precisely the goal of radical abolitionists.

To further illustrate Shelby's secondary motive, we can return to Chapter 1, which explores Davis' history as a political prisoner and revolutionary who opposed the United States' violent tactics of oppressing, surveilling, locking up, and the marking for social and physical death Black people. This period of Davis' life was punctuated by campaigns to free all political prisoners, and the engagement with the writings and actions of radical Black liberation movements. Shelby posits that these revolutionary writings, unlike slave narratives, "are not best understood as attempts at moral suasion [of sympathetic powerful whites] or peaceful protest. [Instead] they are aimed at raising the political consciousness of the oppressed, not at appealing to the powerful for redress" (p. 21). However, Shelby's need to label prison writings as not akin to neo-slave narratives, but rather "revolutionary political prisoner narratives" (p. 21) is problematic for two reasons. First, it maintains that narratives by the enslaved are written for the purpose of enticing white audiences to the cause of slavery's abolition. Second, in stating that revolutionary political prisoners' political goal is to incite those like them to revolutionary action, Shelby denies the rebellion and revolutionary action that enslaved people's narratives hold at the center of slavery's critique.

The history of prisons is a history of reform, reform, and more reform. The history of radical abolition has its roots in the abolition movements that opposed slavery, lynching, and segregation. To a significant extent, it appears that Shelby denies and obfuscates, or simply seems unaware of these histories. Shelby views abolitionists' opposition as a series of separate pieces—involuntary labor and wage theft, racist functionality, punishment through dehumanization—that have been used to unjustly target prisons (p. 195). Radical abolitionists, however, are concerned with the entirety and intertwining of all the systems and institutions that bolster global capitalism, necessitate oppression, and deny human dignity and freedom—the criminal justice system is just one spoke on that wheel. Shelby in fact gets to the absolute heart of abolitionists ideas, stating that for them "the root of the problem is not the existence of prisons but pervasive and deeply unjust socioeconomic disadvantage more broadly" (p. 82). He concludes this point, however, by stating that the way

through is to ensure a long list of things that abolitionists have always argued for and have continuously implemented—such as increasing employment opportunities, social services, and universal healthcare, instituting a minimum living wage, providing secure housing, housing subsidies, and access to food. By holding so tight to his visions of reform, Shelby unfortunately fails to recognize the ongoing history of conversations centered on these topics, and the actions already taking place on the ground with respect to them. For abolitionists the question of reform remains insufficient to deal with the long history of structural injustice that has produced the modern prison system.

Friendly Sovereignty: Historical Perspectives on Carl Schmitt's Neglected Exception. By Ted H. Miller. University Park: Pennsylvania State University Press, 2022. 252p. \$119.95 cloth. doi:10.1017/S1537592723000464

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Two related themes run through Ted H. Miller's *Friendly Sovereignty*. On the one hand, the book draws our attention to what Miller calls "friendly sovereignty." Discussions of sovereignty, Miller argues, have been unduly focused on hostile acts of sovereignty, extralegal acts by which a sovereign authority inflicts harm on or uses violence against those who are defined, by sovereign authority, as enemies of the state. Miller argues that sovereignty is manifested not merely in hostile but also in friendly acts of sovereignty; that is, in acts that benefit the sovereign person's friends or supporters by conferring pardons, privileges, and preferments or by granting dispensations from legal duties that would otherwise apply. Miller attributes the lack of attention to friendly sovereignty to the influence of Carl Schmitt, whose work focused on sovereign hostility. The second theme that runs through the book, accordingly, is the attempt to offer a series of critiques of Schmitt's understanding of sovereignty, which Miller seeks to expose not merely as one-sided but also as historically uninformed.

Miller's critiques of Schmitt, to start with the second theme, are a little tepid and, to my mind, not entirely compelling. Although the book's subtitle bills it as a critique of Schmitt, Miller accepts Schmitt's framing of the question of sovereignty. For Miller, as for Schmitt, sovereignty is manifested in a decision on the exception. What is more, the potted history of the concept of sovereignty that is offered in the first chapter of *Friendly Sovereignty* struggles to escape the influence of the historical template developed in Schmitt's writings. Like most of the literature on Schmitt on sovereignty produced by political theorists, Miller uncritically repeats Schmitt's dismissals of other twentieth-century theorists of sovereignty. The reader is treated to the usual rehearsal of