

Book Notes*

CONTENTS

CONSTITUTIONAL THEORY AND HISTORY	2
CRIMINAL JUSTICE AND SOCIAL CONTROL	2
CRIMINAL JUSTICE AND SOCIAL CONTROL: INCARCERATION	3
CRIMINAL JUSTICE AND SOCIAL CONTROL: POLICING	4
FIELDWORK AND POSITIONALITY	6
JUDICIAL POWER	6
JURISPRUDENCE AND SOCIO-LEGAL THEORY	6
LAW AND THE ADMINISTRATIVE STATE	7
LAW AND AUTOCRACY	7
LAW AND CAMPAIGN FINANCE	8
LAW AND COVID-19	8
LAW AND DESIRE	8
LAW AND DEBT	9
LAW AND EDUCATION	9
LAW AND THE ENVIRONMENT	9
LAW AND FAMILY RELATIONSHIPS	10
LAW AND LABOR	10
LAW AND THE LGBTQ+ COMMUNITY	11
LAW AND LITERATURE	11
LAW AND MIGRATION	11
LAW AND PHILANTHROPY	12
LAW AND RACE	12
LAW AND TECHNOLOGY	12
LAW AND WOMEN	13
LEGAL CONSCIOUSNESS	13
U.S. SUPREME COURT	14

* Book Notes are adapted from promotional material provided by the publishers.

CONSTITUTIONAL THEORY AND HISTORY

GRABER, MARK A. *Punish Treason, Reward Loyalty: The Forgotten Goals of Constitutional Reform after the Civil War*. Lawrence, KS: University Press of Kansas, 2023. Pp. xi + 361. \$47.95 cloth.

Grabber argues that while today we tend to think the purpose of the Fourteenth Amendment to the US Constitution was to protect persons of color, its core purpose was quite different: Republicans and Unionists engaged in Reconstruction saw its purpose as preventing “rebel rule” by punishing treason and rewarding loyalty, particularly the loyalty of white men who remained faithful to the Union during the Civil War.

RANA, AZIZ. *The Constitutional Bind: How Americans Came to Idolize a Document That Fails Them*. Chicago: University of Chicago Press. 2024. Pp. xii + 817. \$45.00 cloth.

Rana argues that today’s reverential US constitutional culture is a distinctively twentieth-century phenomenon, connected to another relatively recent development: the rise of US global dominance. He concludes that this veneration has had far-reaching consequences: despite offering a unifying language of reform, it has also unleashed an interventionist national security state abroad while undermining the possibility of deeper change at home. The book also considers an array of movement activists who struggled to imagine different constitutional horizons; he concludes that over time these voices of opposition were excised from memory but that today, they offer essential insights.

CRIMINAL JUSTICE AND SOCIAL CONTROL

FISHER, GEORGE. *Beware Euphoria: The Moral Roots and Racial Myths of America’s War on Drugs*. Oxford, UK: Oxford University Press, 2023. Pp. xix + 493. \$34.99 cloth.

Fisher challenges claims that early antidrug laws in the U.S. arose from racial animus, arguing instead that they trace to early Christian sexual strictures and traditional moral censure of intoxication and perceived threats to respectable white women and youth. He finds that today’s drug war’s racial dynamic differs greatly, as harsher penalties swell prisons with mostly non-white dealers.

FONG, KELLEY. *Investigating Families: Motherhood in the Shadow of Child Protective Services*. Princeton, NJ: Princeton University Press, 2023. Pp. iv + 283. \$32.00 cloth.

Drawing on observations of Child Protective Services (CPS) investigations and hundreds of interviews with those involved, Fong traces the implications of invoking CPS as a “first responder” to family misfortune and hardship in the US. She finds that relying on CPS—an entity fundamentally oriented around parental wrongdoing and empowered to separate families—organizes the response to

adversity around surveilling, assessing, and correcting marginalized mothers. The result is that the agency's far-reaching investigative apparatus undermines mothers' sense of security, shapes how they marshal resources for their families, and creates feelings of vulnerability, reinforcing existing inequalities.

GOODMARK, LEIGH. *Imperfect Victims: Criminalized Survivors and the Promise of Abolition Feminism*. Oakland, CA: University of California Press, 2023. Pp. xv + 276. \$24.95 paper.

Goodmark argues that since the 1970s, anti-violence advocates have worked to make the US legal system more responsive to gender-based violence, but that greater state intervention in cases of intimate partner violence, rape, sexual assault, and trafficking has led to the arrest, prosecution, conviction, and incarceration of *victims*, particularly women of color and trans- and gender-nonconforming people. She concludes that only dismantling the system will bring that punishment to an end.

SARAT, AUSTIN, ed. *Death Penalty in Decline? The Fight against Capital Punishment in the Decades since Furman V. Georgia*. Philadelphia: Temple University Press, 2024. Pp. ix + 236. \$34.95 paper.

Sarat and contributors to his collection assess the contemporary death penalty landscape and consider the trends in and attitudes toward capital punishment and its abolition. They seek to highlight factors that are propelling alternatives to the death penalty as well as the obstacles to ending it.

SCHWARZ, CORINNE. *Policing Victimhood: Human Trafficking, Frontline Work, and the Carceral State*. New Brunswick, NJ: Rutgers University Press, 2023. Pp. vi + 215. 39.95 paper.

Drawing on interviews with service providers in the US Midwest, Schwarz finds that frontline workers in direct contact with vulnerable, exploited, and trafficked persons defer to the tools of the carceral state and ideologies of punishment when navigating their clients' needs.

CRIMINAL JUSTICE AND SOCIAL CONTROL: INCARCERATION

AVIRAM, HADAR and Chad Goerzen. *Fester: Carceral Permeability and California's COVID-19 Correctional Disaster*. Oakland, CA: University of California Press, 2024. Pp. xvii + 286. \$29.95 paper.

Aviram and Goerzen argue that mismanagement of the COVID-19 pandemic in California's prisons was catastrophic for incarcerated persons. They offer a cultural history through first-person accounts, courtroom observations, policy documents,

and collected quantitative data; they find immense suffering wrought on people behind bars through dehumanization, fear, and ignorance.

BARDES, JOHN. *The Carceral City: Slavery and the Making of Mass Incarceration in New Orleans 1803-1930*. Chapel Hill: University of North Carolina, 2024. Pp. x + 416. \$34.95 paper.

Drawing on a large trove of previously overlooked arrest and prison records, Bardes argues that in parts of the US South—contrary to the view that slaveholders handled discipline—enslaved and free people were jailed at astronomical rates. He finds that authorities built massive slave prisons and devised specialized slave penal systems to maintain control and maximize profit. Indeed, in New Orleans—for most of the past half-century, the city with the highest incarceration rate in the US—enslaved people were jailed at higher rates during the antebellum era than are Black residents today.

CRIMINAL JUSTICE AND SOCIAL CONTROL: POLICING

ADLER, JEFFERY S. *Bluecoated Terror: Jim Crow New Orleans and the Roots of Modern Police Brutality*. Oakland, CA: University of California Press, 2024. Pp. viii + 193. \$29.95 paper.

Adler argues that racialized police mistreatment of Blacks is part of a larger system of state oppression with roots in the early twentieth-century US South, particularly New Orleans. Drawing on archival accounts, he finds that race control and crime control blended and blurred during the 1930s and 40s, when police officers and criminal justice officials began to justify systemic violence against Black people as a crucial—and legal—tool for maintaining law and order.

FELKER-KANTOR, MAX. *DARE to Say No: Policing and The War on Drugs in Schools*. Chapel Hill: University of North Carolina, 2024. Pp. x + 273. \$27.95 paper.

Felker-Kantor argues that DARE (Drug Abuse Resistance Education)—a highly popular US drug education program of the 1980s and 1990s—brought the War on Drugs into schools and ensured that the velvet glove of antidrug education would be backed by the iron fist of rigorous policing and harsh sentencing. He finds that policing entered US schools and framed drug use as the result of personal responsibility, moral failure, and poor behavior deserving of punishment, rather than something deeply rooted in state retrenchment, the abandonment of social service provisions, and structures of social and economic inequality.

GUARIGLIA, MATTHEW. *Police and the Empire City: Race and the Origins of Modern Policing in New York*. Durham, NC: Duke University, 2023. Pp. ii + 267. \$27.95.

Guariglia argues that origins of the New York Police Department were inseparably entwined with the history of race, ethnicity, and whiteness in the United States.

He tracks the Department through its periods of experimentation and violence as police experts imported tactics from the US occupation of the Philippines and Cuba, devised modern bureaucratic techniques to suppress Black communities, and infiltrated immigrant neighborhoods. He concludes that campaigns to remake the Department created a landscape where power, gender, sexuality, race, ethnicity, crime, and bodies collided and provided a foundation for the supposedly color-blind, technocratic, federally backed, and surveillance-based policing of today.

KING, SHANNON. *The Politics of Safety: The Black Struggle for Police Accountability in La Guardia's New York*. Chapel Hill: University of North Carolina Press, 2024. Pp. vii + 368. \$29.95 paper.

In this study of Depression and wartime policing in New York city under liberal mayor Fiorello H. La Guardia, King finds that youth crime, white New Yorkers' anxieties—about crime, the movement of Black people into white neighborhoods, and headlines in the white media featuring Black “hoodlums”—drove support for the expansion of police patrols in the city, especially in Harlem and Bedford-Stuyvesant. Though Blacks also called for police protection and for La Guardia to provide equitable municipal resources, they primarily received more punishment, setting the stage for the Harlem uprising of 1943.

PHELPS, MICHELLE S. *The Minneapolis Reckoning: Race, Violence, and the Politics of Policing in America*. Princeton, NJ: Princeton University Press, 2023. Pp. xiv + 283. \$29.95 cloth.

Phelps describes how Minneapolis arrived at the brink of police abolition, in the period immediately after the 2014 murder there of George Floyd. She finds that despite public outrage over police brutality, the abolition initiative faced stiff opposition, including by Black community leaders who called for more police protection as well as police reform; in 2021, voters ultimately rejected the ballot measure to end the department. She concludes that the dualized meaning of the police—as both the promise of state protection and the threat of state violence—creates a complex politics of policing that thwart change.

SIMON, SAMANTHA J. *Before the Badge: How Academy Training Shapes Police Violence*. New York: NYU Press, 2024. Pp. xii + 287. \$28.95 cloth.

Drawing on a year spent at US police academies participating in the training alongside cadets, Simon finds that the training socializes cadets into a system of state violence—as training progresses, cadets are expected to see themselves as warriors and to view Black and Latino/a members of the public as their enemies. She concludes that police mistreatment of minorities is not a problem of ‘bad apples,’ but rather a structural problem of police worldview, which begins in the academy.

FIELDWORK AND POSITIONALITY

CHUA, LYNETTE J. and Mark Fathi Massoud. *Out of Place: Fieldwork and Positionality in Law and Society*. New York: Cambridge University Press, 2024. Pp. xv + 213. £95.00 cloth.

Available as Open Access on Cambridge Core. Encouraging collective and transparent self-reflection on positionality, contributors to Chua and Massoud's volume share how their out-of-place positionalities influenced their research questions, data collection, analysis, and writing in law and society. From China to Colombia, India to Indonesia, Singapore to South Africa, and the United Kingdom to the US, they record how they conducted their fieldwork, how their privileges and disadvantages impacted their training and research, and what they learned about the law in the process.

JUDICIAL POWER

KUESHI, YASSER. *Seeking Supremacy: The Pursuit of Judicial Power in Pakistan*. New York: Cambridge University Press, 2024. Pp. xii + 286. \$35.99 paper.

This book maps the evolution of the relationship between the judiciary and military in Pakistan, explaining how Pakistan's high courts shifted from loyal deference to the military to open competition, and confrontation, with military and civilian institutions. Kureshi argues that the key to this fundamental change is a shift in the audiences shaping judicial preferences. As the judiciary gradually embraced less deferential institutional preferences, a shift in judicial preferences took place and the judiciary sought to play a more expansive and authoritative political role.

JURISPRUDENCE AND SOCIO-LEGAL THEORY

COTTERRELL, ROGER. *Jurisprudence and Socio-Legal Studies*. New York: Routledge/Taylor and Francis, 2024. Pp. xv + 236. \$48.95 paper.

This book presents a set of related studies aimed at showing key points of intersection and common interest between jurisprudence and socio-legal studies, which are otherwise typically considered distinct fields. Cotterrell explores theoretical issues surrounding the enterprise of socio-legal research, its current scope, and its historical traditions; profiles European jurists whose work offers insights for socio-legal inquiry; explores the history of interactions between jurisprudence and socio-legal research; and shows points of convergence between these fields that are increasingly important today.

LAW AND THE ADMINISTRATIVE STATE

MERRILL, THOMAS W. *The Chevron Doctrine: Its Rise and Fall, and the Future of the Administrative State*. Cambridge, MA: Harvard University Press, 2022. Pp. iv + 355. \$36.00 cloth.

While the US Congress is the principal federal lawmaker, for a variety of reasons power has shifted to executive branch agencies and to the courts that review the agencies' interpretations. Since the Supreme Court's 1984 *Chevron* decision, this judicial review has been highly deferential, requiring only that agency interpretations of unclear laws be "reasonable." Meanwhile, *Chevron* has faced intense backlash from critics of the administrative state, who charge that *Chevron* deference enables unaccountable bureaucratic power. Merrill argues for a division of labor based on institutional capacity: courts are better at enforcing the rule of law and constitutional values; agencies have more policy expertise and receive more public input.

LAW AND AUTOCRACY

ABEL, RICHARD L. *How Autocrats Abuse Power: Resistance to Trump and Trumpism*. New York: Routledge/Taylor and Francis, 2023. Pp. xvii + 183. \$48.95 paper.

Abel notes that autocrats blur or breach the separation of powers, use executive orders to bypass the legislature, pack the courts, replace career prosecutors with political appointees, abuse the pardon power, and claim immunity from the law. They seek to hobble opposition from civil society by curtailing speech and assembly, tolerating and even encouraging vigilante violence, and attacking the media. This book portrays the many ways in which as president, Donald Trump followed the autocrat's playbook, and the extensive efforts to resist those advances.

ABEL, RICHARD L. *How Autocrats Attack Expertise: Resistance to Trump and Trumpism*. New York: Routledge/Taylor and Francis, 2023. Pp. xvi + 195. \$48.95 paper.

Abel chronicles resistance to the threat that autocracy poses to American liberal democracy, providing an account of Donald Trump's attacks on expertise and scientific and legal opposition to them. The focus is on Trump's actions during the COVID-19 pandemic, including his attempts to denounce scientists who defied or evaded his directives as members of the "deep state," and his elevation of obscure scientists who promoted quack cures and opposed effective preventive measures. The book documents these efforts and evaluates the resistance of the scientific and business communities and the resilience of scientific and legal defenses of truth.

ABEL, RICHARD L. *How Autocrats Seek Power: Resistance to Trump and Trumpism*. New York: Routledge/Taylor and Francis, 2024. Pp. xxii + 297. \$48.95 paper.

Abel discusses how, as the courts rejected Trump's numerous challenges to the 2020 election, state election officials loyally performed their statutory duties, the

Justice Department found no evidence of fraud, and politicians from all sides certified Biden's victory. He traces the many, and varied, forms of defense of liberal democracy located within both the state and civil society, including law (judges, government lawyers, and private practitioners), the media, NGOs, science (and other forms of expertise), and civil servants in federal, state, and local government.

LAW AND CAMPAIGN FINANCE

KANG, MICHAEL S., and Joanna M. Shepherd. *Free to Judge: The Power of Campaign Money in Judicial Elections*. Stanford, CA: Stanford University Press, 2023. Pp. ix + 210. \$28.00 paper.

Drawing on US campaign finance and judicial decision-making data as well as interviews of past and present judges, Kang and Shepherd argue that the threat of removal and the desire to win reelection, results in judges demonstrably leaning towards the interests and preferences of their campaign donors across all cases. As an example, they include an account of Marsha Ternus, an Iowa state supreme court justice voted out of office after her decision to support same-sex marriage.

LAW AND COVID-19

COHEN, I. Glenn, Abbe R. Gluck, Katherine Kraschel, and Carmel Shachar eds. *Covid-19 and the Law: Disruption, Impact and Legacy*. New York: Cambridge University Press, 2023. Pp. xix + 406. \$34.99 paper.

Available as Open Access on Cambridge Core. Contributors to Cohen, Gluck, Kraschel, and Shachar's volume examine the effect that the COVID-19 pandemic has had on US law and policy, in areas ranging from health equity and racial justice, to constitutional law, the law of prisons, federal benefit programs, and election law. They also explore how their insights might lead to better preparation for future pandemics.

LAW AND DESIRE

MALDONADO, SOLANGEL. *The Architecture of Desire: How the Law Shapes Interracial Intimacy and Perpetuates Inequality*. New York: New York University Press, 2024. Pp. iv + 234. \$35.00 cloth.

This book examines how US law influences the most personal and private choices—whom we desire and choose as intimate partners—and explores the psychological, economic, and social effects of these choices. Maldonado traces the legacy of

slavery, anti-miscegenation, segregation, and racially discriminatory immigration laws and finds that this legal landscape facilitated the residential, economic, and social distance between racial and ethnic groups, which in turn continue to shape romantic preferences today. She concludes that the law further influences intimate choices by structuring the spaces within which individuals meet and interact, via practices such as redlining, gentrification, and zoning.

LAW AND DEBT

PLATT, DANIEL. *The Price of Misfortune: Rights and Wrongs in Indebted America*. Chicago: University of Chicago, 2023. Pp. ii + 214. \$40.00.

In this history of financialization of US capitalism Platt finds that, in the wake of the Civil War, advocates drew potent analogies between slavery, imprisonment for debt, and the experiences of wage garnishment and property foreclosure. Those analogies were used to campaign for bold protections for debtors, but the reforms tended to view the ideal borrower as white, propertied, and male. In subsequent decades, the emancipatory promise of debtors' rights would be tested as women, wage earners, and African Americans seized on their language to challenge other structural inequalities: the dependency of marriage, the exploitation of industrial capitalism, and the oppression of Jim Crow.

LAW AND EDUCATION

GUARD, LOUIS H. and Joyce P. Jacobsen. *All the Campus Lawyers: Litigation, Regulation, and the New Era of Higher Education*. Cambridge, MA: Harvard University Press, 2024. Pp. ii + 343. \$45.00 cloth.

Guard and Jacobsen assess the impact of legal concerns on US higher education, with attention to civil rights, free speech and expression, student life and wellness, admissions, advancement, and community relations, governance and oversight, the higher education business model, and on-campus crises, from cyberattacks to pandemics.

LAW AND THE ENVIRONMENT

ATAPATTU, SUMUDU. *UN Human Rights Institutions and the Environment: Synergies, Challenges, Trajectories*. New York: Routledge/Taylor and Francis, 2023. Pp. xxvi + 320. \$160.00 cloth.

Atapattu assesses how UN human rights institutions and mechanisms have addressed environmental protection, sustainable development, and climate change. She surveys the resolutions, general comments, concluding observations,

individual communications, and press releases of UN bodies to identify principles that have emerged; explores the ways in which human rights charter-based and treaty-based institutions are interpreting environmental principles; and examines how they contribute to the emerging field of human rights and the environment. She also discusses how human rights mechanisms have addressed the impact on marginalized groups, including women, children, indigenous peoples, people with disabilities, and racial minorities.

LAW AND FAMILY RELATIONSHIPS

PROBERT, REBECCA, and Sharon Thompson eds. *Research Handbook on Marriage, Cohabitation and the Law*. Northampton, MA: Edward Elgar Publishing, 2024. Pp. xi + 481. \$65.00 ebook.

Contributors to Probert and Thompson's handbook explore the contested meanings and changing boundaries of marriage, the scope and role of alternative opt-in regimes, and the justification for conferring rights and responsibilities based on intimate relationships. Responding to the rising numbers of couples cohabiting without formalising their relationship, contributors examine how legal systems should respond to these changing patterns of relationships, and what it means to be a 'family' in different societies.

SPINAK, JANE M. *The End of Family Court: How Abolishing the Court Brings Justice to Children and Families*. New York: NYU Press, 2023. Pp. iv + 368. \$35.00 cloth.

Spinak argues that the procedures and policies of the modern US family court are deeply entwined in a heritage of racism, a profound disdain for poverty, and assimilationist norms intent on "fixing" children and families who are different, and that the court's interventionist goals remain steeped in an approach to equity and well-being that demands individual rather than collective responsibility for the security and welfare of families. She concludes with a plan to abolish the court.

LAW AND LABOR

GALEMBA, REBECCA BERKE. *Laboring for Justice: The Fight Against Wage Theft in an American City*. Stanford, CA: Stanford University Press, 2023. Pp. xx + 304. \$95.00 cloth.

Focusing on the plight of day laborers in Denver, Colorado—a quintessential purple state that has swung between some of the harshest and more welcoming policies around immigrant and labor rights—Galemba analyzes the widespread problem of wage theft and its disproportionate impact on low-wage immigrant workers. With collaborators and community partners, she discusses how labor abuses like wage theft persist, and how advocates, attorneys, and workers struggle to redress and

prevent those abuses using proactive policy, legal challenges, and direct action tactics.

LAW AND THE LGBTQ+ COMMUNITY

FISCHEL, JOSEPH J, and Brenda Cossman, eds. *Enticements: Queer Legal Studies*. New York: NYU Press, 2024. Pp. vi + 401. \$40.00 paper.

Contributors to Fischel and Cossman's Queer Legal Studies collection investigate the proliferating assortment of genders, sexualities, and intimacies, questioning how they have been regulated, criminalized, or privileged by law and other regulatory forces. They focus on a wide range of sex/gender regulatory regimes, interrogating the use and abuse of queer history for impact litigation and social change, colonial and postcolonial sex laws otherwise obscured by the modern LGBT paradigm of sexual identity, and the policing of trans and cis men.

LAW AND LITERATURE

BROWN, CHRISTOPHER MICHAEL. *See Justice Done: The Problem of Law in the African American Literary Tradition*. Jackson, MS: University Press of Mississippi, 2024. Pp. xiii + 195. \$30.00 paper.

Brown argues that African American literature has profound and deliberate legal roots. Examining a wide variety of materials, including petitions submitted by free and enslaved Blacks to colonial and early republic legislatures, early slave autobiographies, and the works of more contemporary writers (including Sutton E. Griggs, George Schuyler, Toni Morrison, and Edward P. Jones), he seeks to reveal the tensions between US law and Black experiences, including both its possibilities and its perils.

LAW AND MIGRATION

MYSLINSKA, DAGMA RITA. *Law, Migration, and the Construction of Whiteness: Mobility Within the European Union*. New York: Routledge/Taylor and Francis, 2024. Pp. xiv + 245. \$170.00 cloth; \$49.99 e-book.

Myslinska examines the history, wording, omissions, assumptions, and applications of laws, policy and discourses pertinent to mobility and equality in the EU; she finds that the status of Central and Eastern European migrants within the EU has been closely circumscribed, in line with the entrenched historical positioning of the west as superior to the east. Engaging current legal, economic, political and moral issues—against the backdrop of Brexit and contestations over EU integration and

globalization—she seeks to better understand law’s role in producing and sustaining social stratification in Europe as a post-colonial space.

LAW AND PHILANTHROPY

REISER, DANA BRAKMAN, and Steven A. Dean. *For-Profit Philanthropy: Elite Power and the Threat of Limited Liability Companies, Donor-Advised Funds, and Strategic Corporate Giving*. Oxford, UK: Oxford University Press, 2024. Pp. x + 239. \$55.00 cloth.

Reiser and Dean argue that philanthropy law represents a strategic Grand Bargain binding ordinary Americans and elites together in a common purpose: in exchange for relatively modest controls and a requirement that a private foundation distribute roughly 5% of its assets each year for the public good, donors can receive generous tax writeoffs. The authors are concerned that today, innovations including commercially affiliated donor-advised funds, strategic corporate philanthropy, and philanthropy limited liability companies have set that Bargain aside to provide elites with greater autonomy and privacy, with a commensurate reduction in benefit to the public.

LAW AND RACE

ROBERTSON, STEPHEN. *Harlem in Disorder: A Spatial History of How Racial Violence Changed in 1935*. Stanford: Stanford University Press, 2024.

Available online only. This monograph analyses all cases brought to the courts after the Harlem (New York) racial disorder in 1935, often considered the first modern “race riot.” Robertson finds that Harlem’s Black residents participated in a complex new mix of violence that represented a multifaceted challenge to white economic and political power. Tracing the legal and government investigations that followed, he examines civil actions by business owners as well as criminal prosecutions and failed efforts to prosecute police. He concludes that the police and courts played a key role in distorting and diminishing the violence of the disorder.

LAW AND TECHNOLOGY

COFONE, IGNACIO. *The Privacy Fallacy: Harm and Power in the Information Economy*. New York: Cambridge University Press, 2023. Pp. xi + 248. \$137.95 cloth.

Drawing on behavioral science, sociology, and economics, Cofone challenges existing privacy laws and reform proposals, seeks to dispel enduring misconceptions about data-driven interactions, and offers a solution that focuses on the need for accountability for the consequences of corporate data practices.

LAW AND WOMEN

MARINO, KELLY L., *Votes for College Women: Alumni, Students, and the Woman Suffrage Campaign*. New York: NYU Press, 2024. Pp. iv + 275. \$39.00 cloth.

The US women's suffrage movement is often portrayed as having been organized by middle-aged women and mothers in formal settings, but Marino argues that this portrayal neglects the significant role played by college women. She examines archives from the College Equal Suffrage League (CESL), an affiliate of the National American Woman Suffrage Association, to illustrate the outsize and dynamic role that young women played in the movement, and concludes that the CESL's campaigns both invigorated the Nineteenth Amendment campaign at a crucial moment and helped lay the groundwork for later and more well-known college protests against gender inequality.

OZA, RUPAL. *Semiotics of Rape: Sexual Subjectivity and Violation in Rural India*. Durham, NC: Duke University, 2022. Pp. xxvi + 208. \$25.95 paper.

Oza examines the social life of rape in rural northwest India and finds that rape is not only a violation of the body but a language through which a range of issues—including caste and gender hierarchies, control over land and labor, and the shape of justice—are contested. She concludes that rape cases become arenas where bureaucrats, village council members, caste communities, and the police debate women's sexual subjectivities and that those varied understandings impact the status and reputations of individuals and groups.

LEGAL CONSCIOUSNESS

KOX, MIEKE. *Unravelling unauthorized migrants' legal consciousness processes*. The Hague, NL: Eleven International Publishing, 2024. Pp. ix + 261. €75,00 cloth.

Drawing on multi-sited ethnographic fieldwork among 105 (former) unauthorized migrants in the Netherlands, Surinam and Nigeria as well as participant observations in the Dutch immigration system, this study portrays unauthorized migrants' legal consciousness processes over time. Kox finds that Dutch authorities have created a comprehensive, multi-layered system to discourage unauthorized residence. This system – which unauthorized migrants perceive as the law – is powerful given its strong constitutive effects at the migrants' everyday, social, existential and legal levels. Yet seen through an instrumental lens, it is also powerless, as unauthorized migrants may continue their unauthorized residence while the authorities lack coercive measures to realize the migrants' departure.

U.S. SUPREME COURT

McMAHON, KEVIN J. *A Supreme Court Unlike Any Other: The Deepening Divide Between the Justices and the People*. Chicago: University of Chicago Press. 2024. Pp. xvi + 361. \$24.00 paper.

Drawing on historical and contemporary data, with a special focus on court battles during presidencies from FDR to Donald Trump, McMahon argues that the US Supreme Court has become detached from the democratic processes that buttress its legitimacy. He considers the altered politics of nominating and confirming justices, the shifting pool of Supreme Court hopefuls, and the increased salience of the Court in elections.

POST, ROBERT C. *The Taft Court: Making Law for a Divided Nation, 1921-1930*. Vol. 10, Oliver Wendell Holmes Devise History of the Supreme Court of the United States. New York: Cambridge University Press, 2023. 2 vols. Pp. xlii + 1608. \$250.00 cloth.

Drawing on previously untapped archival material, Post recounts the ambivalent effort to create a modern American administrative state out of the institutional innovations of World War I. He argues that the Court sought to establish authoritative forms of constitutional interpretation despite the culture wars that enveloped prohibition and pervasive labor unrest. The work focuses on how constitutional law responds to altered circumstances and includes discussion of Taft's judicial reforms and his alteration of the role of Chief Justice.