

Sklansky's book, however, is ultimately less about providing clear answers and more about making sure we appreciate how much conceptual confusion undergirds a term we frequently use with such confidence and little thought—and a term with significant political consequences. Our data and statutes draw seemingly objective lines between “violent” and “nonviolent” behavior; *A Pattern of Violence* does an excellent job of laying out how tentative, subjective, inconsistent, incoherent—and mutable—those lines really are.

REFERENCE

Zimring, Franklin, and Gordon Hawkins. 1999. *Crime Is Not the Problem: Lethal Violence in America*. New York: Oxford University Press.

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Power in Modernity: Agency Relations and the Creative Destruction of the King's Two Bodies.
By Isaac Ariail Reed. Chicago: University of Chicago Press, 2020. 312 pp. \$32.50 paperback

Reviewed by Jack Jin Gary Lee, American Bar Foundation, Chicago, IL, USA

Isaac Ariail Reed's *Power in Modernity: Agency Relations and the Creative Destruction of the King's Two Bodies* (2020) proposes a bold, imaginative thesis: modernity is characterized by the recurrent search for new figurations and myths that bind actors to those who command. Modernity, in other words, is haunted by the historical loss of the King's two bodies—the first mortal and the second sempiternal—and the consequent problem of agency: how do we bind others to act on our behalf? Or, whose projects do our actions realize if they can no longer speak in the hallowed name of the King?

To appreciate the break that Reed's intervention creates in social theory, we might begin from his reflections on Franz Kafka's “Before the Law”—long familiar to sociolegal scholars. As Reed observes, social theorists have taken this parable of a man who waits in vain for admission to “the Law” as “a sociological nightmare from which the subject cannot awake” due to the symbolic violence of modern power (2). Turning away from such melancholic renderings of domination and consciousness because of their limited depiction of the *play* of power in modernity, Reed crafts a new theoretical language of power relations through the figures of the rector, actor, and other, each of whom performs a necessary part in the making of projects. Critically, in recasting the study of power in terms of the seriated acts of rectors and actors that pursue the former's projects, *Power in Modernity* not only prompts sociolegal scholars of empire to revisit the mythical figurations at the heart of sovereignty in relation to the current jurisdictional turn (Richland, 2013) but also opens up questions about how legal speech binds and transforms actors over time.

To proceed, some definition of Reed's distinct theoretical framework is in order. Embedded within relations of agency that have long roots in law (Shapiro, 2005: 272), rector and actor are defined by the hierarchical relation of control that allows the rector to “*send an agent [actor] into the world, and bind said agent to act on [the former's] behalf*” (30). Rectorship thus depends on whether and how actors can be called and bound to projects not of their own authorship. Projects, in turn, are realized in time:

“In a project, a person or a set of persons *projects* into an uncertain future an image of the world; that imagined future becomes part of their repertoire for navigating the present world; attempts to *remake* the world take on a relationship to the projected image via interpretation” (34).

Finally, excluded from projects that frame the relation between rector and actor, those othered are profaned and denied recognition as actors or authors (19). Hence, the other is dehumanized and rendered part of the uncertain world that is to be mastered or, worse, eliminated.

This conceptual assemblage of rector, actor, and other highlights persona, personhood, and projects as key elements of power relations, setting up Reed's account of how the dilemmas of authorship in the modern world result from the historical loss of the King's two bodies as an "organizing project of projects" (39). In his fascinating engagement with Ernst Kantorowicz's landmark *The King's Two Bodies* (Chapter 5), Reed revivifies the foundational legal fiction and metaphor of the King's "Body natural" and "Body politic" to show how the second body of the sovereign provided sacred grounds that secure the faith of actors in rectors and their projects: "What is a more compelling basis for the construction of trust relations than to suggest that a general and a lieutenant share in the same body?" (116, 231). Indeed, what seals the fidelity of actors (and the exclusion of others) are performative enactments of sovereign power that appeal to the embodied sensibilities and identities of those who will be bound to the rector's project.

While the first act of *Power in Modernity* theorizes the rector-actor-other relation and its dimensions, the second shows how the destruction of royal authority in the American Revolution and, in comparison, the English Civil War and French Revolution generated struggles over the representation of the "people's two bodies," a replacement for the missing King (Chapters 5–7). Centered in the convulsions of the late-eighteenth century Atlantic world, Reed interprets the negotiations after the Whiskey Rebellion (1794), as well as the Battle of Fallen Timbers (1794) and the Treaty of Greenville (1795) as conflicts over the recomposition and representation of the sovereign body during the expansion of the US empire (Chapter 6). In his skillful navigation of the historiography and archives of these events, Reed also conveys a pointed account of how indigenous tribes were transformed from potential allies into an "unsalvageable savage enemy" whose elimination could "hold together the disparate interests of...the settler-actors and state rectors of the new United States of America." (178). As Reed acknowledges (253–254), his sociohistorical analysis complements Aziz Rana's *The Two Faces of American Freedom*, for he renders the allegorical counterpoint of the "unique settler ideology" that bound a new empire-state and restive settlers to a "project of republican freedom and territorial conquest" (Rana, 2010: 12).

Legal historians and sociolegal scholars of empire will find Reed's theory and his "performative hermeneutics of the ties that bind" useful in untangling the conflicting courses of action that mark the liminality of imperial transitions and encounters (100). Just as the subject of "juris-diction" demonstrates how "everyday legal texts, discourses, and practices" stitch together law's authority (Richland, 2013: 214), Reed's performative hermeneutics of power relations draws attention to the significance of figuration and fantasy in disposing persons toward the fulfillment of ideals and imaginaries formulated by would-be rectors, whether such forms exist in the past or present (230). In this sense, *Power in Modernity* presents a call to sketch the mythological undercurrents of modern forms of power and to understand how they orient persons to enact desired projects over time.

I am inclined toward Reed's theoretical project and view his creative reframing of power relations in terms of the rector-actor-other triad as a generative way to reconstruct the workings of power in law and legal institutions. However, I conclude by noting the curious absence of law as a subject of analysis. While Reed situates law, for example, treaties and constitutions, as the object of conflicts over the representation of the "people's two bodies," the book is interestingly silent on the salience of legal speech in binding rectors and actors to their words, opening up grounds for future theoretical articulation with sociolegal scholarship (e.g., Constable, 2014). Drawing on the terms of Reed's pathbreaking treatise, we may take law as an evocative language of power with distinct imaginaries of personhood and right, while its artifacts constitute "expressive materials" that attune actors to projects over time (57). Remembering Peter Fitzpatrick's (1992) *The Mythology of Modern Law*, sociolegal scholars will find much in Reed's conceptual gifts for their critical engagements with modern law's myths.

REFERENCES

- Constable, Marianne. 2014. *Our Word Is our Bond: How Legal Speech Acts*. Stanford: Stanford University Press.
 Fitzpatrick, Peter. 1992. *The Mythology of Modern Law*. New York: Routledge.
 Rana, Aziz. 2010. *The Two Faces of American Freedom*. Cambridge: Harvard University Press.

Richland, Justin B. 2013. "Jurisdiction: Grounding Law in Language." *Annual Review of Anthropology* 42: 209–26.
Shapiro, Susan P. 2005. "Agency Theory." *Annual Review of Sociology* 31: 263–84.

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Twenty Million Angry Men: The Case for Including Convicted Felons in Our Jury System.

By James M. Binnall. Oakland, CA: University of California Press, 2021. 275 pp. \$29.95 paperback

Reviewed by Sarah Shannon, Department of Sociology, University of Georgia, Athens, GA, USA

I read Binnall's book with the trial of Derek Chauvin for the murder of George Floyd unfolding in my hometown of Minneapolis, MN. It was thus impossible to read the book without meditating on the relevance of jury trials for our society writ large and for those individuals who are excluded from serving on juries by virtue of a felony record. Although the Chauvin trial is certainly an outlier in terms of its high-profile nature, having it in the backdrop as I read the book meant that Binnall's words about jury trials more generally struck a sharp chord with me: "The jury stands as the only mandatory endeavor that brings citizens together to work collectively on a complex task that could have far-reaching social implications" (5). From the outset, Binnall makes a persuasive case, not just for including people with felony convictions on juries, but for jury service itself. This was an unexpected benefit of reading the book because, like many, I'm guilty of too often considering jury service a burden or nuisance and had not given much thought to the consequences of the decline in jury trials for civic engagement more broadly. The experience left me wondering, could historic trials like Chauvin's become the windows of opportunity needed to spark a movement to undo felon-juror exclusions?

Binnall describes the goal of the book as, "...to provide the first comprehensive, empirically informed analysis of felon-juror exclusion" (8). The book accomplishes this goal in a way that is readable (even for a lay reader), reflexive (making effective use of the author's personal life experience on both sides of the bar), and concise (the main text, excluding appendices and notes, is a meaty 147 pages long). The book is well worth the read, not only in academic settings but also for sparking community conversations about this issue. Should people with felony convictions be allowed to serve on juries? After reading this book, I have no doubt that any reasonable reader will say, "yes." Even those who may already agree with the premise of the book will find their conviction strengthened by the well-reasoned legal arguments and pioneering empirical evidence presented.

The book is well-organized and takes the reader through the history of and legal justifications for felon-juror exclusion before providing meticulous rebuttals of the two prominent rationales: the probity rationale and the inherent bias rationale. Binnall then presents empirical evidence from several studies that contradict, or at least complicate, these arguments. I found two of the analyses to be especially insightful. The first is Binnall's presentation of results of scores from the Revised Juror Bias Scale from several subgroups (Chapter 3)—including eligible jurors, convicted felons, law students, and law enforcement personnel—that challenge the inherent bias rationale. The findings show that, as compared to eligible jurors (no felony record), each of the other three groups shows statistically significant pretrial bias (though in differing directions). Thus felon-juror exclusions are over-inclusive, banning one group from serving on juries while allowing other biased groups to serve.

The second is the mock jury results showing not only that felon-jurors do not threaten the jury process (Chapter 4), but that they bring particular strengths to jury deliberations based on their lived experience with the criminal legal system (Chapter 5). Binnall's analyses of mock jury transcripts show that felon-jurors helped deliberations by "routinely drawing on personal experiences that related to their own criminal history," clarifying legal concepts, and exhibiting "a rather nuanced understanding of the law" (91). These chapters combined present a compelling case that American juries are (except in Maine) systematically denied the diverse viewpoints and hard-won skills of a