

the Athenian polity to achieve high levels of economic growth without returning to civil war.

For all of the impressive historical research and theoretical work that informs Carugati's study, the reader is left with a number of questions concerning the concrete lessons to be learned about constitution-making in and outside ancient Athens. For instance, the most intriguing suggestion of the book, at least in my opinion, is that successful constitution-making in Athens was conditioned by its citizens' commitment to "legality," because this commitment placed ideological checks on the pursuit of partisan interest by any particular group. Such an argument suggests that both structural and symbolic factors need to be considered in analyzing why a particular constitution may or may not succeed. This is a promising development in a field of study that can often be myopically reductive. Yet, rather than exploring the depths and potential complications raised by the symbolic dimension, Carugati quickly moves on to build a model of constitutional innovation. In doing so, Carugati reduces legal change to a negotiation between the interests of the median Athenian juror, the policy preferences of the proposer, and the proposer's willingness to risk defeat to more closely approach this policy preference. The model would therefore seem to suggest that Athenians were willing to introduce new laws and statutes when it was opportune for them to do so and that Athens owed its stability in the fourth century to the stipulated stability of the median voter's preferences. What exactly the relationship is between "legality" and the stability of Athenian preferences, however, could be developed at much greater length. Relatedly, Carugati might clarify how exactly the commitment to an inherently ambiguous abstraction—a commitment that was compatible with both radical democratic and oligarchic regimes—would be sufficient to stabilize preferences over the course of a tumultuous century of rising and falling fortunes.

Carugati's turn to her model is motivated by the scarcity of fourth-century evidence for Athenian policy making: dismally few actual cases remain for us to investigate, and many institutional procedures are all but opaque. Carugati is frank about this lack of evidence at almost every step of her argument, but its overall implications for the success of her project are not squarely assessed. All too often Carugati is left to speculate on how Athenian constitution-making might have occurred, using modern theory to make up for evidentiary gaps. And even though her speculations are consistently interesting and often plausible, they are driven by a theory and model that can neither be confirmed nor denied by the Athenian example. We are thus left asking again, Why Athens?

Is Athens in fact necessary to derive the theory behind Carugati's study? If not, what exactly is the value of turning to Athens given the precarious nature of the evidence? One way to approach these questions would

be to ask what we can actually learn about Athenian democracy over the course of Carugati's book. To be sure, the theoretical lens used by Carugati appears wholly foreign to the way in which classical Athenians actually thought about the practices in which they were engaged. Litigants did not understand juries to be aggregate groups with single-peaked preferences, for instance, but as a body of listeners whose ideas could be shaped and emotions activated through various rhetorical appeals. Likewise, a litigant's concern for honor was not merely a concern for victory but also a need to uphold certain standards of demeanor, diction, and argumentation: dishonorable victory was indeed a thing. None of this is to deny that Carugati's model contains significant heuristic value for us when thinking about Athenian institutional practices, but it does suggest caution in accepting its value as history. To the extent that her model tells us something about Athens, it does so at a register of analysis beyond the lived experience of those who actively participated in Athenian constitution-making. For many, such a register may yet shed light on important historical truths. The status of such "truths" will surely be contested, however, by those adhering to a more interpretivist understanding of the historical enterprise. If Carugati's Athens thus succeeds in helping us understand ourselves, this is a significant achievement. But for many readers it may appear to come at the cost of better understanding Athens.

Feeling Like a State: Desire, Denial, and the Recasting of Authority. By Davina Cooper. Durham: Duke University Press, 2019.

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— Elena Gambino , Bates College
egambino@bates.edu

Davina Cooper's *Feeling Like a State* sets out to do nothing short of "conceptually reimagining what it means to be a state" (p. 2). Set against projects that conceptualize the state as *essentially* disciplinary, coercive, and hierarchical, on the one hand, and those that pursue new institutional designs premised on normative principles, on the other, Cooper's aspirations are at once more radical and more provisional. At its most basic, the book suggests that theorists seeking a progressive politics cannot afford to ignore what she calls "postnormative" events, such as the "legal drama" surrounding conservative Christian refusals to participate in LGBT equality projects. But these events are more than flies in the ointment. In fact, they are the ground on which Cooper stakes her entire theoretical gamble: considering these episodes of conservative Christian refusal, for Cooper, requires that theorists think through the provisional, contentious, and "sticky" practices of politics—especially in relation to claims that seem

“far from progressive” (p. 12)—even as they seek a radically more caring, responsible, and responsive practice of governing.

The book begins with the claim that conservative Christian withdrawals—refusals to bake “gay” cakes, to sign “gay” marriage licenses, to admit gay people into schools, or to hire them in professional roles—believe depictions of the state as hierarchical, coercive, and disciplinary. Quite in contrast to static narratives of the state as a “vertical structure, able (rightly or wrongly) to reach out, exert authority, and advance its agenda” (p. 53) in the face of conservative resistance, Cooper first develops a conception of a heterogeneous and plural state. On the one hand, such a conception of the state would hold that even refusals of state authority (in favor of, say, religious authority) are in fact part and parcel of the *governing practices* that sustain relationships between various embedded state actors. “Dissident forces,” she argues, are neither distinct from nor entirely subject to an external, bounded entity called “the state.” Conservative Christians who refuse to accept changing norms around LGBT inclusion are “not just engaged in resistance; they [do] not just say ‘no’ to power.” Instead, they take up and deploy “the opportunities, access, and resources that state-based roles and partnerships offered them—from the teacher who used his presence in the classroom to belittle gay relationships to the youth organizations that used state subsidies... to renormalize and protect a nationalist, binary-gendered heterosexuality” (p. 73).

Conversely, if such refusals ought to be considered *part* of a heterogeneous state, Cooper also contends that such provocations reveal the full scope of the state’s responsibilities. For example, Cooper details the many instances in which public bodies “withdrew grants and subsidies from conservative Christian antigay organizations,” arguing that by “refusing to permit others to make an exception,” states perform their “moral and legal obligation[s]...to support gay equality” (p. 71). To the extent that conservative Christian refusals provoke the embedded, relational, and reflexive responsibilities that already inhere—however fleetingly—in governing practices, they reveal a provisional space for thinking the radical work that states *could* do, if only we dared imagine.

Cooper’s point, of course, is that what is radical is *always* deeply provisional. Such dramas of refusal, then, underpin the rather more radical act of reconceiving of the state in “erotic” and “playful” terms. An erotic conception of the state, Cooper holds, might help theorists “avoid reconceiving the state in ways that [tie] it too securely to a specific political project” (p. 155). The point of such a move is to take seriously the stated ends of much critical theory: multiplicity, contestation, agonism. Cooper is at her strongest when describing the relational and reflexive—that is, the antihegemonic—practices toward which we might put the concept of the state to work, and she is

undoubtedly right that imagining these ends will require thinking beyond the state’s more disciplinary and authoritative tendencies.

Yet despite the profoundly important task of reconceptualizing the state toward more caring, responsible, and relational ends, *Feeling Like a State* ultimately founders in its bid to do so in and through the context of anti-LGBT Christian activism. It is one thing to argue that political theorists can and should take up the challenging process of articulating politics on terms other than those traditionally associated with the state. But it is quite another to do so in ways that bracket—and so elide—the concrete political contexts in which those imaginings will have to take place.

Consider, for example, Cooper’s depiction of conservative Christian refusal as *counterhegemonic*; that is, as articulated in contrast to the hierarchical, disciplinary, and coercive state. Even as she claims to resist “romanticizing” these claims, Cooper takes Christian rhetoric at face value, suggesting that Christian bakers, civil servants, and other dissenters seek to contest a powerful and increasingly state-sanctioned consensus around LGBT protection and inclusion. But it is difficult to sustain this position, given that it is precisely these claims to victimhood that enable conservatives Christians to demand an ever-more restrictive, normative, and hierarchical sexual order.

Take just one instance of fiery conservative rhetoric against a purported liberal hegemony. With palpable disdain for the majority decision, Antonin Scalia wrote in his dissent to *Obergefell v. Hodges* that “these justices... are willing to say that any citizen who does not agree with that, who adheres to what was, until 15 years ago, the unanimous judgment of all generations and all societies, stands against the Constitution.” There is a particular richness in Scalia’s claim that *all* of history, *every* government, and *all* generations represent a “unanimous judgment” about LGBTQ people—*even as he claims victimhood under a new hegemony*. This historical “unanimous judgment,” of course, is an utter fiction, one that serves only to excuse state actors from recognizing the *ongoing* political purchase of claims about the validity of LGBTQ marginalization. However much Cooper wishes to bracket the content of such arguments in favor of their performative potentialities, political contexts *do* matter: as the speakers of these coded and deeply hierarchical messages know, the responses that “counterhegemonic” utterances will provoke have everything to do with the ways that *certain* vulnerabilities are registered as more legitimate—and some more dismissible—than others. When considered in the context of ongoing LGBTQ vulnerability and precarity, such arguments cannot be reworked in the way that Cooper hopes, precisely because they are intended to *foreclose the very possibility* of a more capacious understanding of state responsibility.

One wonders, then, why Cooper chose to foreground these particular refusals, especially given that there exist

myriad moments of productive, relational, and reflexive refusal within marginalized communities themselves. Lesbian separatism, two-spirit Indigenous activism, Black feminist antiviolenace movements, and Black Lives Matter all engage in the refusal to demand more relational and responsible governing practices. Are we to see conservative Christian refusals as enacting the same kind of imaginative work as these projects? Surely not. But in bracketing the content of conservative Christian activism in favor of its more imaginative possibilities, Cooper also brackets the possibility of distinguishing between them. *Feeling Like a State* thus accomplishes the goal of seeking out a path forward that avoids “suturing” the future to a prescribed progressive agenda, but in so doing it risks breathing new life into those discourses that seek to deflect and misrepresent their own power.

Compromise and the American Founding: The Quest for the People’s Two Bodies. By Alin Fumurescu. Cambridge:

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— Michael Gorup , *New College of Florida*
mgorup@ncf.edu

For all of the conceptual ambiguity associated with the term “populism,” at least one thing is certain: populists are uncompromising. Whether on the right or left, it is safe to say that a populist is someone who rejects the politics of elite compromise in the name of the pure people. As Alin Fumurescu’s new book suggests, the association of populism with uncompromising purity is apt, because populism is an inheritance of early modern Puritanism. However, it is only a partial inheritance. Populism, as Fumurescu argues, constitutes one side of the Janus-faced tradition launched by the Puritans.

Fumurescu’s ambitious book develops an intriguing theoretical framework for explaining the development of American political ideas, centering on the notion of the people’s two bodies. The author refers to the paradigm as a “foundational double-helix,” inaugurated by the Puritans and refined until the Civil War, which has defined the contours of the American tradition. It consists in a dual understanding of the people as both “a collection of equal individuals, ruled by a majority of wills” and “a corporation, hierarchically structured, ruled by reason for the sake of the common good” (p. 2). According to Fumurescu, the versatility of the American political tradition is attributable to the fact that it has never fully committed to either understanding, permitting political actors to flexibly alternate between the two ideas as necessary. Fumurescu’s hope is that recovering this mostly forgotten history of the people’s two bodies will enable us to more skillfully

navigate between the present-day Scylla and Charybdis of populism and elitism and to facilitate the restoration of a politics of compromise.

Across seven chapters, the book provides a chronological account of the founding of the American people (distinguished from the American founding simpliciter). After a substantive introduction, chapter 2 begins the story in colonial New England, where Puritan settlers first practically experimented with a “bidimensional covenant” that combined a horizontal agreement “between equal individuals to create a new theologico-political people” with a vertical agreement “between this newly formed people and its elected aristocracy of merit” (p. 29). Fumurescu then tracks the dialectic of the people’s two bodies through the Great Awakening and Colonial Crisis (in chapter 3), arguing that disputes between colonists and Parliament intensified as each side rallied around a distinct understanding of the people, each with a corresponding vision of legitimate representation. Chapter 4 explores independence-era state constitution-making, which the author interprets in light of the people’s egalitarian body, and the Articles of Confederation, which he suggests replicated features of the corporatist model. The book thereafter attends, in chapter 5, to “that greatest of all compromises” (p. 139)—the Constitution of 1787—explaining how the delegates to the Philadelphia Convention deftly combined the people’s two bodies in a document authorized in the name of a people that it strategically neglected to define. Chapter 6 shows how at least some of the compromises struck at the convention led to mounting contestation over the definition of “the people” in the lead-up to the Civil War, which by war’s end culminated in a final settlement on a national understanding of the demos (over a conception of multiple state peoples). The book closes with a provocative conclusion, applying its theoretical framework to a range of contemporary phenomena, including partisanship, Facebook, and identity politics.

Overall, the book is rich with theoretical and historical insight, and specialists in American political thought will find much of interest in each of the chapters. Scholars of religion and politics will take special interest in the central importance the author places on Christian theology in the origin and development of American political ideas. More generally, it is difficult not to admire the meticulous research and exceptional erudition displayed throughout the book. The author exhibits an impressive facility with both the primary and secondary literatures and seldom shies away from an astute digression when the opportunity arises. Alongside developing the theoretical paradigm of the people’s two bodies, the book also closely attends to shifting understandings of the individual, building on Fumurescu’s earlier (2013) work, *Compromise: A Political and Philosophical History*. Indeed, the author imports