

The Feminist War on Crime does not deny the existence or the general pervasiveness of gendered harms but instead questions our chosen methods to address them. Gruber observes that our impulse to utilize the criminal legal system as an engine for effecting broad societal change, while understandable, has limited reach and imposes enormous costs particularly on communities of color.

Gruber concludes with charting a proscriptive course for millennial feminists—a “neofeminism” in the hope that they “can yet transform feminism from a movement that maintains the US as a prison nation to one that actively opposes the penal system as racist, neoliberal, uncivilized and bad for women.” (192) Stated differently, Gruber calls for a recognition that gendered harms do not exist in a vacuum, but intersect with race, class, and broader societal structures (such as prisons themselves which, as Gruber notes, are places replete with sexual violence).

Gruber’s work negotiates a path through a cultural minefield: our rising recognition that punishment is not synonymous with justice on one hand, and our continued efforts to reckon with gendered violence. *The Feminist War on Crime* is at the same time provocative, educational, and necessary for our moment where people are beginning to question the utility of imprisonment as a panacea for social ills without denying the fact that those ills demand our attention and effort.

DOI: 10.1111/lasr.12541

Sexual Citizens: Sex, Power, and Assault on Campus. Jennifer S. Hirsch and Shamus Khan. New York: W.W. Norton & Company, 2020. 422 pp. \$17.95 paperback

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Jennifer Hirsch and Shamus Khan’s book *Sexual Citizens* offers an outstanding contribution to existing literature on campus sexual assault by applying a public health approach to understanding this phenomenon. Their extraordinary work not only identifies the root causes of this prevalent problem but also provides an array of appropriate solutions to address it. The book provides a much-needed conceptual shift that breaks away from familiar paradigms that largely focus on adjudication models toward implementing forward-looking preventive measures to address the problem of campus sexual assault. This innovative approach transforms our understanding of sexual assault in general and campus sexual assault in particular.

Hirsch and Khan’s main thesis is organized around three key concepts: sexual projects, sexual citizenship, and sexual geographies. “Sexual projects” considers the host of reasons why individuals engage in sexual interactions, including among others, achieving sexual pleasure, expressing their sexual beings, acquiring sexual experiences, connecting with others, and accomplishing certain societal status. (xiv) “Sexual citizenship,” the heart of the argument, posits that all individuals have a basic right to freely exercise their sexual projects. “Sexual citizenship” imposes obligations on others to treat their partners’ sexual projects with dignity and respect and refrain from treating them as mere objects to satisfy their own sexual projects (xvi). “Sexual geographies” describes the various ways in which the geographies surrounding college residential dorms, namely, college life spaces, not only create unique vulnerabilities for many students but also facilitate campus sexual assault (xix). Taken together, these concepts explain the ways in which campus sexual assault ought to be viewed as a result of problematic social constructs (xiii). The implication of this understanding is that rather than focusing on addressing individuals’ personal culpability for concrete instances of sexual assault, society in general and higher education institutions in particular must shift their attention toward addressing the societal root causes that contribute to the problem.

In what follows, I briefly sketch the familiar accounts that have dominated our understanding of campus sexual assault and identify their main failures. I then describe the book’s key contribution to

understanding the root causes of campus sexual assault. I conclude with outlining the book's suggestions for reform proposals that reimagine innovative solutions.

THE FAILURE OF THE DYADIC ADJUDICATIVE MODEL

A near consensus exists that campus sexual assault is a pervasive problem in all higher education institutions. The Sexual Health Initiative to Foster Transformation (SHIFT) study, conducted by Hirsch and Khan at Columbia University, found that by senior year 36% of female students and 15% of male students surveyed have experienced some form of unwanted nonconsensual sexual contact with 20% of women and 6% of men reported being raped (265). Sexual assault is by no means unique to higher education and is rampant in many other contexts and social spaces, including the military, workplace, prison, police, and the home (Buchhandler-Raphael 2017, 1032–33). Recognizing that sexual assault is indeed a social problem that inflicts tremendous harm on survivors, however, has not helped solve it because, thus far, the law has failed to craft adequate responses to remedy the problem (Tuerkheimer, 2015: 39–40).

In recent years, a growing realization has emerged that society cannot resolve all its problems by reliance on the legal system, and particularly on the broken criminal legal system, which is fraught with systemic shortcomings, including racial injustice (Goodmark, 2018: 1–10). **Many social illnesses, including drug abuse, mental health, child abuse and neglect, homelessness, domestic violence and sexual violence, have long been exclusively treated solely as criminal problems (Gruber, 2020: 5–17. 130)** (Brinig and Garrison, 2020). Many scholars now posit that addressing these social problems through the criminal law lens is deeply flawed and reject the reliance on the legal system. In its stead, they urge consideration of alternative ways of thinking about these problems, among others, contemplating a public health approach (Goodmark, 2018: 6, 34–41, 52–53) (Brinig and Garrison, 2020). In particular, sexual assault ought to be addressed through a public health framework, which develops and implements primary preventive measures that treat the root causes of this problem (Kaplan, 2017: 1051, 1078).

Against this backdrop, *Sexual Citizens'* invaluable contribution to this discourse is a crucial and timely addition to the growing critique of existing legal system. In recent years, conventional wisdom on campus sexual assault has focused on a dyadic model, in which a male student sexually assaults a female prey. This single dimensional account emphasizes “toxic masculinity,” where blameworthy, heavily intoxicated, privileged white male perpetrators prey on female students in an environment where “toxic masculinity” fosters college “rape culture.”

Based on comprehensive empirical data that Hirsch and Khan collected during years of field work on the SHIFT project (276–293 “methodology” and “tables”), they urge readers to substitute a public health approach that focuses on primary prevention of campus sexual assault with familiar adjudicative models. Their ample empirical evidence demonstrates that campus sexual assault is far from being a single dimensional problem and is more complex and nuanced than what the conventional account suggests. This partial narrative, they continue, obfuscates a host of additional experiences of campus sexual assault that are continuously silenced. These include the experiences of males also fall prey to unwanted sex not only by other men but also by women (21). It also ignores the accounts of queer students and the host of unwanted touching that students of color experience (255).

In line with the dominant account of the problem, the solutions to campus sexual assault have wrongly focused on adjudicative punitive processes under which disciplinary charges are brought by the school against individual male perpetrators. Yet, the main drawback in reliance on adjudicative models is that they are backward looking and are thus incapable of preventing sexual assault before it occurs. Relatedly, another shortcoming in these administrative punitive measures is that they fail to help sexual assault survivors in coping with the harm inflicted on them and continue with their

studies and life after the assault. Moreover, even if these solutions “work,” their cost is too high as they result in inequitable outcomes for individual students.

GOVERNMENT AND SOCIETAL RESPONSIBILITY FOR PREVENTION FAILURES

Hirsch and Khan’s book is situated within this context of the continued failure of adjudication models. The problem, they argue, lies with mistakenly placing the sole blame for campus sexual assault on individual students. Instead, they continue, society as a whole is to blame, because it is directly responsible for creating the underlying conditions that facilitate campus sexual assault. These include failure to provide young people with adequate sex education that emphasizes all individuals’ right to sexual citizenship, failure to create the geographic conditions that foster equality and encourage the creation of spaces where students can form meaningful relationships in lieu of the prevalent “drunken hook up culture” (256).

Acknowledging the scope and harm of campus sexual assault necessitates public responses that rely on innovative thinking that transcends familiar accounts. Hirsch and Khan demonstrate the vast range of causes for campus sexual assault, which are essentially preventable (255). For example, they offer a nuanced account of the interrelationship between excessive drinking and campus sexual assault. Shifting the paradigm away from the familiar story of intoxicated male perpetrators taking advantage of the vulnerability of female prey, Hirsch and Khan’s study reveals that the role that binge drinking plays in college life is more complex. The reason people voluntarily become intoxicated is to facilitate occasional hookups, as drinking is perceived as a way to avoid the awkwardness of sex with strangers. Students who are illiterate when it comes to sex education and are full of shame and insecurity, drink excessively because they crave human interaction. These educational and policy failures are preventable. Yet, students are currently not provided with an environment that fosters building healthy social and sexual interactions.

SOLUTIONS: TOWARD AN INTEGRATIVE MODEL OF PREVENTION

Hirsch and Khan concede that there is no “one size fits all” solution to campus sexual assault. Consistent with their view that the causes of the problem and the underlying conditions that foster it are varied, they contend that solutions are also multifaceted, requiring multilevel policy-based interventions. There is one unifying theme, however, to these solutions, that is, forward-looking primary prevention that treats the underlying conditions, including the entire social ecology that creates and fosters the environment for campus sexual assault.

Importantly, Hirsch and Khan argue that adopting multilevel responses that prioritize primary prevention places significant responsibility on the government to take active steps to ameliorate the problem of campus sexual assault. It is the role of the government to create the societal conditions that enable everyone to enjoy a right to sexual citizenship (xvii). Currently, the government is simply not doing enough to prevent the problem (266–267). Hirsch and Khan draw on analogous contexts in which the government does choose to spend significant resources on education and prevention, most notably drunk driving campaigns. Government action is thus necessary across four interrelated areas including diversity power and inequality, sex and sexual assault, substance use, and mental health (262).

Education programs to address gender and racial inequalities ought to play a key role in government’s integrated intervention efforts. Such programs cannot begin on college “Orientation Week” but instead must start much earlier throughout primary and secondary education because they hold enormous power in changing attitudes and beliefs about gender and sexuality associated with sexual assault (266).

Education alone, however, is insufficient. A public health approach emphasizes the broad ecology underlying environments that foster sexual assault and the need for systemic overhaul in the way we think about creating the conditions for everyone to express their sexual projects and enjoy their rights to sexual citizenship. Hirsch and Khan stress that the geography of residential dorms and the dynamics of physical spaces play an active part in fostering opportunity structures that enable campus sexual assault. It is higher education's institutional duty to change the existing geographies that enable sexual assault by thinking about creating safe spaces for students' including in residential dorms (259).

Additionally, Hirsch and Khan suggest that strengthening mental health programs plays a key role in prevention efforts because mental health struggles are both a cause and consequence of sexual assault (264). Preventive approaches include not only harm reduction measures to address individual students' mental problems once they have occurred but also broader steps that improve the mental well-being of students before any problems develop by providing all students with mental health support.

Moreover, government's intervention measures also include taxing industries that contribute to campus sexual assault. These taxes could fund prevention efforts such as sex education programs. Alcohol and pornography are two main industries that make huge profits of the negative externalities like campus sexual assault. While these industries do not cause sexual assault, they help create the conditions of vulnerability that fosters them and thus should be held partly accountable (258).

In conclusion, Hirsch and Kahn's work is a must read for anyone interested in reforming existing treatment of campus sexual assault. They persuasively explain why administrative proceedings that focus on adjudicating campus sexual assault not only do not work and fail to prevent future wrongdoing but are also deeply unfair to all parties involved. To remedy these shortcomings, governments must take responsibility for their policy failures and adopt a host of primary prevention measures that are equitable to all college students.

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DOI: 10.1111/lasr.12542

Shortlisted: Women in the Shadows of the Supreme Court. By Renee Knake Jefferson and Hannah Brenner Johnson. New York: New York University Press, 2020. 304 pp. \$30.00 hardcover

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Shortlisted is a timely and provocative examination of the biographies of women formally shortlisted for vacancies on the U.S. Supreme Court. The product of more than a decade of research involving analysis of media depictions of Supreme Court candidates, review of the candidates' personal papers, biographies, and autobiographies, and evaluation of materials in presidential archives, the book focuses on the largely untold stories of the exceptionally qualified women who were shortlisted for Supreme Court vacancies. In telling their stories, Renee Knake Jefferson and Hannah Brenner