

we confront it puts up a mirror to our societies, often making our ugliest features more pronounced.

## References

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*Policing the Open Road: How Cars Transformed American Freedom*. By Sarah A. Seo. Cambridge: Harvard University Press, 2019. 352 pp. \$28.95 paperback

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Getting my driver's license marked a significant change in my life. No longer was I dependent on my long-suffering mother to play chauffeur (although, with two younger children in the house, she would be wearing a metaphorical scally cap for years to come). With a driver's license and an old car inherited from a great-uncle, I was able to escape my teenage ennui, or at least to relocate it to the parks and beaches of South Florida, where my friends and I could indulge in that blend of lassitude and restlessness unique to the teenage experience without exasperating interruptions by parents or siblings. Driving my first car, beat-up hand-me-down that it was, gave me an unprecedented degree of control over my life.

Driving also put me in the position where the *state* had an unprecedented degree of control over my life. I was stopped for speeding, for equipment violations, and, several times, for being suspicious. On one occasion, a friend and I had gone to a very ritzy part of Palm Beach to gawk at the mansions; we were stopped while sitting in front of a church on a sidewalk bench, next to the sunbaked, older model car that gave powerful, if mute, evidence to our outsider status. My early interactions with the police were not, I think, particularly unusual. Indeed, this is exactly the point; my newfound freedoms were accompanied by a new level of scrutiny from the police, but one that seems entirely *normal*.

In *Policing the Open Road*, University of Iowa law professor Sarah A. Seo brilliantly captures this tension. Engagingly written and meticulously researched, the book puts automobiles at the

center of the cultural evolution of a society that has embraced “policing as a mode of governance and updated its laws to sanction police discretion” (267). In this vein, Prof. Seo’s work joins that of others who have highlighted the historical roles of world-shaping phenomena that are so omnipresent that they may otherwise go overlooked, including Jared Diamond’s (1999) *Guns, Germs, and Steel*, Michael Pollan’s (2001) *The Botany of Desire*, Tom Standage’s (2009) *A History of the World in 6 Glasses*, Bee Wilson’s (2020) *Swindled*, and many other valuable contributions.

*Policing the Open Road* has an automotive focus, and its thesis, convincingly argued throughout, is aptly summarized by its subtitle: *How Cars Transformed American Freedom*. Prof. Seo convincingly argues that despite the mythos, all but enshrined in American folklore, that the automobile is a symbol of “individual solitude and freedom” (10), the reality is that, from their early days, automobiles dramatically expanded the scope and contours of state control. That thesis plays out in six chapters, organized more topically than chronologically. In each chapter, Prof. Seo chronicles the manifold ways that the automobile playing a role in shaping the development of American society.

Prof. Seo’s writing is delightful; she capably weaves individual and personal stories, rich historical details, and the highly textured cultural context against which Supreme Court cases were decided into a unified, compelling narrative, reminiscent of Michelle Alexander’s (2010) groundbreaking *The New Jim Crow*. Like Prof. Alexander’s opus, *Policing the Open Road* is one of a rare breed of books that advances legal scholarship while also contributing to public conversations; it is eminently accessible to a general audience and could easily be worked into an undergraduate or graduate curriculum. Even more impressively, Prof. Seo’s writing remains accessible despite the sheer number of threads in the tapestry she presents. That Prof. Seo is able to so deftly turn the disparate threads of traffic safety, Prohibition, police professionalization, over-criminalization, public perceptions of police legitimacy, the Fourth Amendment’s exclusionary rule, police discretion, and many other themes and topics into an intertwined whole is the hallmark of a remarkable author.

As I read *Policing the Open Road*, I was repeatedly drawn to contemplate my own experiences as a driver and, later, as an officer. When I did so, Prof. Seo’s work inevitably led me to think differently about long-past interactions that, I admit, I had largely taken for granted. And it led me to think about the interactions that my children, including one preparing to get a driver’s license, will have. If Prof. Seo’s goal was to enable readers to view the world around them through a thought-provoking historical lens, *Policing the Open Road* is an unbridled success.

But the book *also* helped me think about the future. As Prof. Seo writes, “The contradiction of the automobile as both the pre-eminent symbol of American values and an object of extensive policing threw into sharp relief the vexing conundrum of discretionary policing in a society based on the rule of law” (159). Since Prof. Seo’s book was released, that conundrum has become, if anything, even more vexing. When I finished *Policing the Open Road*, I was left contemplating the role the automobile will play in the *next* evolution of American society, the changes that will occur against the backdrop of board public skepticism of policing as a mode of governance and the increasingly availability of ever-more sophisticated autonomous vehicles.

*Policing the Open Road* does not attempt to answer those questions, but it gives readers a firm historical foundation for thinking about the answers.

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*Yesterday’s Monsters: The Manson Family Cases and the Illusion of Parole*. By Hadar Aviram. Oakland, CA: University of California Press, 2020. 296 pp. \$29.95 paperback

Reviewed by Jonathan Simon, University of California, Berkeley, CA, USA

Is the history of the penal state a series of transformative ruptures or better understood as a long term grind it out battle between heavily invested antagonists? The increasingly common consensus answer is “yes.” We need both. Aviram’s unique study highlights why. The Manson Family cases of the book’s subtitle refers to the still remarkably famous “Tate-LaBianca” murders that unfolded over two August weekends in the tumultuous summer of 1969 (see