

BOOK ANNOTATIONS

THE STATE OF ASIAN AMERICA: ACTIVISM AND RESISTANCE IN THE 1990's. Edited and introduced by Karin Aguilar-San Juan. Foreword by David Henry Hwang and Afterward by M. Annette Jaimes. Boston: South End Press, 1994. Pp. ix, 361. \$16.00.

The State of Asian America, edited and introduced by Karin Aguilar-San Juan, is an anthology of essays by Asian-American writers which examines and celebrates the Asian-American tradition of organizing in an effort to stress the meaning of and need for constructive resistance to racist injustice and oppression. In this project, the anthology addresses mainstream stereotypes of Asians as the nation's model minority and highlights the diverse and changing face of Asian Americans.

The topics covered run the gamut from the Rodney King incident to domestic violence in Asian-American communities. Though each of the essays raises unique and significant concerns, the focus of the anthology is to address and dispel the monolithic stereotype of Asian-Americans in our society by presenting the diversity within the Asian-American experience. Many of the essays observe differences between the experiences of Asian-Americans and those of African-Americans. Several authors argue that, in contrast to African-Americans, Asian-Americans lack articulation of specific issues that affect their communities. The writers also contend that, when American society considers issues of race, it does so only in terms of black and white, and Asian-Americans' concerns often become lost. Remarkable acts of resistance and protest by Asian-Americans—as plantation workers, railroad crews, miners, factory operators, entrepreneurs, union organizers, student activists, writers, artists, and radical academicians—also remain invisible even to many Asian-Americans.

In the forward, David Henry Hwang offers an example of this invisibility in recalling the time when, following a performance of his play, *Face Value*, a caucasian woman leaving the theater remarked, "How could they do a play about race in the 1990s and make it about Asians? Asians don't have any problems!" Reactions like this, Hwang comments, prompt him to explore the complex relationship between whites and minorities and to examine the growing frustration of whites who feel their powerbase is continually shrinking in the 1990s. He states that, in the 60s and 70s, white liberals felt that they "magnanimously handed" over a larger set of rights and liberties to powerless minorities. Today, however, as people of color play a larger role in making the laws and rules which govern society, and as it becomes increasingly clear that European-Americans are only one piece

in an increasingly diverse image of national identity, Asians and other minorities must be pushed to address an entirely new set of realities and responsibilities.

Glenn Omatsu follows the history of Asian-American and African-American activism from the 1960s to the present in his essay, "The 'Four Prisons' and the Movements of Liberation." He suggests that the struggles of the 1960s—struggles which confronted historical forces of racism, poverty, war, and exploitation, and which refined human values and transformed the lives of ordinary people—are being reinterpreted in narrower and very dangerous ways by various scholars. He believes that it will be difficult for a new generation of Asian-Americans to understand the urgent need for activism or the convictions and legacies that their heritage has left them. Omatsu argues that Asian-Americans today face a task similar to that which confronted activists in the 1960s: the necessary redefinition of the Asian-American experience. To him, redefinition entails more than ethnic awakening: it requires confronting the fundamental questions of power and domination in American society.

In "Between Black and White," Elaine H. Kim interviews Bong Hwan Kim, a former director of the Korean Community Center in Oakland and the current director of the Korean Youth and Community Center in Los Angeles. Kim's essay is a narrative in which he tells both his life history and his perspective on the Rodney King incident in relation to the Korean American community in Los Angeles. He argues that, although Korean Americans are portrayed as "haves" and other minorities as "have nots," Korean Americans do not exercise power in any American institution, whether it be politics, industry, education, or communications. Kim believes that society delivers an unwelcome message to Asian-Americans through exclusion, racist immigration and employment restrictions, and xenophobic hatred and hate crimes, seeing manifestations of this message in exhortations to Asians and other immigrants of color to "trade in" their language and cultural heritage for uncertain and conditional existence on the fringes of the dominant society.

In "Seeing Yellow," Richard Fung explores Asian identities in film and video. Fung believes that most independent films produced by Asian-Americans focus on seeking redress from the white supremacy because of the historical misrepresentations of mainstream media. For example, in the film *All Orientals Look the Same* (1985), the title phrase forms a continuous chant beneath a ceaseless procession of different Asian faces. The juxtaposition is used to explore the lie of the stereotype. *Who Killed Vincent Chin?* (1989), on the other hand, demonstrates the consequence of that stereotype—Vincent Chin was killed in Detroit by white, unemployed autoworkers who thought that he was Japanese. Fung emphasizes that it is important for film makers to address issues of identity and politics beyond an axis of white and yellow. He thus applauds films such as *Bittersweet*

Survival (1982), which looks at the plight of Southeast Asian refugees who have escaped the dangers of war in their home countries only to find that they face racist policies and resentment in being pitted against existing African-American communities for limited resources in America.

The State of Asian America is unique in that it attempts to articulate the diverse and evolving face of Asian-Americans by gathering a similarly eclectic collection of essays from a variety of Asian-American artists, writers, philosophers, academics, and film makers. The structure of this anthology makes for easy reading and allows the reader to soak in many provocative and compelling issues. At the outset, *The State of Asian America* is a search for a proper image of Asian-Americans. By the end, however, the reader is made to understand that the proper image of Asian-Americans today should be as diverse and unique as the voices of each of the Asian-Americans portrayed in this anthology.

Juliet J. Yoo

ETHNIC LABELS, LATINO LIVES: IDENTITY AND THE POLITICS OF (RE)PRESENTATION IN THE UNITED STATES. By Suzanne Oboler. Minneapolis, Minnesota: University of Minnesota Press, 1995. Pp. xxi, 226. \$18.95 paper, \$49.95 cloth.

In *Ethnic Labels, Latino Lives*, Suzanne Oboler, assistant professor in the Department of American Civilization at Brown University, examines the stigmas historically and currently associated with the label Hispanic and the negative impact this label has had upon those to whom it has been applied. Oboler contends that, as the United States moves away from the image of a societal melting pot toward a recognition of multiculturalism, ethnic labels have become a necessary abstraction for identifying individuals and groups within society. She argues that, while the meaning of a label is inherently decontextualized over time, its use becomes problematic when it no longer serves solely as a social categorization but carries a stigma based on a real or perceived cultural, social, or racial difference. Such negative connotations represent stereotypes that in turn designate the group's status in society.

In the context of United States society, the label Hispanic homogenizes the varied social and political backgrounds of more than 23 million United States citizens, residents, refugees, and immigrants. Oboler attempts to create a framework for recognizing the individual and cultural identities lumped together by this term. Oboler believes that through the recognition of these separate identities, various communities will be better able to forge a political unity under the umbrella term Latino/Latina. Oboler prefers this term over "Hispanic" because it encompasses a wider variety of cultural groups and does not implicitly hold all the negative stigmas assigned by the label Hispanic. While conceding that terminology will

not solve the problems raised by national, linguistic, class, and racial differences in the United States, she argues that the debate over terminology is an important step in dealing with these problems because it invokes a discussion about the historical and political contexts from which labels emerge.

The book begins with an historical overview contextualizing the experiences of individuals and communities originally labeled Hispanic—Puerto Ricans and Mexicans. The second part of the book focuses on contemporary case studies of several first-generation Latin American and Puerto Rican immigrants and their impressions of being labeled Hispanic by the U.S. government and popular culture. Throughout her discussions, Oboler effectively dispels the myth of cultural and national homogeneity among people encompassed by the label. She illustrates the way in which the stigmatizing label perpetuates the exclusion of Latinos from mainstream society and prohibits them from achieving their full civil rights. Finally, she explores a method of disentangling the complexities of cultural identity by acknowledging the dynamics of ethnicity, race, gender, and class.

Ethnic Labels, Latino Lives argues that an effective analysis of the homogenization of the Latino population in America requires an exploration of the ethnic label Hispanic as an ideological construct within the specific context of United States society. Through a concise historical overview, the book illustrates how people of Latin American descent have consistently been excluded from mainstream society. Beginning in the nineteenth century, when to be “American” was to be white, Protestant, and Anglo-Saxon, all individuals who did not fit this description were grouped together as “foreign Others.” This conflation of nationality and race for everyone outside the ideological definition of “American” justified the dominant population’s systematic exclusion of minorities from full social status into the twentieth century. Oboler constantly reminds the reader that within the label Hispanic/Latino exist distinct histories of people from Mexico, the Caribbean, and Latin America. Each cultural group brought to this country its own racial and social hierarchies. Oboler notes that, notwithstanding the heterogeneity within these groups, the United States’ expansionist policies of the nineteenth century, such as the Monroe Doctrine and “manifest destiny,” reinforced a fusion of Latinos’ race and nationality, ignoring cultural differences among people from various countries, as well as internal race and class distinctions within each group.

In her examination of how the United States has historically treated people labeled Hispanic, Oboler points out that the roots of the historical exclusion of Latinos contrast markedly with those of African-Americans. While ethnic minority groups have all confronted racial discrimination, the prejudice against African-Americans is rooted in the political, social, and economic effects of slavery, whereas that against Mexican-Americans and Puerto Ricans stems from “xenophobic portrayals of them as foreign

born.” This crucial historical difference resulted in de jure discrimination against African-Americans followed by de facto discrimination, whereas the marginalization of Mexican-Americans and Puerto Ricans has consistently taken the form of de facto exclusion since the turn of the century—notwithstanding the various United States government policies that contributed heavily to the increase in both populations. To this day, negative stereotypes which fail to recognize the existence of native-born Mexican-Americans and Puerto Ricans persist: the “imagined American national community” has historically included only the black and white races, ignoring the multicultural composition of the actual American community.

Oboler sees the inevitable response to this denial of cultural identity in the movements which emphasize cultural affirmation. She acknowledges that these movements derived influence and inspiration from the African-American movement during the civil rights era of the 1960s. Groups including the Puerto Ricans’ Young Lords Party in New York and the Chicano movements’ La Raza Unida and Chicano Power in the west adapted and adopted strategies of organizations such as the Black Panthers, yet they remained distinct from the black movement by affirming their own cultural and historical legacies. Oboler also explores the methodologies of the rural labor rights and land ownership movements of Cesar Chavez and Reies Lopez Tijerina, which, like African-American movements, also recognized the importance of developing cultural strengths.

Oboler draws upon the testimonials of individuals to explore the dynamics of cultural affirmation and the effects of these movements. She describes conflicts in the movements, such as the unrecognized work of women, that caused internal division and eventually transformed the movements. As Latinas fought to recognize personal and collective issues specific to their lives as women, they encountered resistance from the male leaders who accused them of being divisive.

The second part of *Ethnic Labels, Latino Lives* is a case study of a group of first-generation Latin American and Puerto Rican immigrants working in the New York garment industry. Latin American immigrants are not members of the minority groups historically defined as Hispanic, yet they find the label imposed on them by non-Latinos as soon as they enter the United States, even if they do not choose to identify themselves as such. Consistent with her efforts in the first half of the book to contextualize the experiences of individuals and communities placed under the umbrella label Hispanic, Oboler explains her research methodology at length and is clear to point out that her study is not representative of all Latinos in the United States.

Oboler examines not only the distinctions of race and national origin, but also the impact of gender and social class on immigrants’ experiences in the United States. Drawing on the narratives of the twenty-one interviewees, she shows the reader that even among such a small sampling of

individuals grouped together under the Hispanic label, there is little unity of experience or thought. Nonetheless, the interviews reveal that many Latino immigrants are aware that the distinctions they make among themselves exist simultaneously with cultural and linguistic commonalities. While recognizing the need for Latino unity in the interest of social and political advancement, many of the interviewees were disturbed by the negative ramifications of forging a collective identity. They acknowledged the danger that differences in country of origin, culture, and class would be obviated by the institutionalized racial and ethnic categories of the United States and by the negative connotations of the label Hispanic.

In the final section of *Ethnic Labels, Latino Lives*, Oboler acknowledges that the various meanings and social values attributed to ethnic labels will inevitably persist; changing terminology will not solve the problems raised by the existing perceptions of race and class in United States society. Nevertheless, she concludes that, given the necessity of using abstract ethnic labels, the label Latino is preferable because it is not associated with the historical race and class stereotypes implicit in the label Hispanic.

The balance of the book argues that the best way to overcome the damaging effects of the myth of homogeneity is the use of in-depth studies of small groups, both as a complement to larger survey studies, and as an integral part of historical studies in educational institutions throughout the country. *Ethnic Labels, Latino Lives* is a cogent and valuable work that begins the process of understanding the implications of class, race, and gender heterogeneity of that group of individuals called Hispanic in the United States.

Kierith Jones

THE ROOSTER'S EGG. By Patricia Williams. Cambridge: Harvard University Press, 1995. Pp. 1, 262. \$22.00.

Patricia Williams' *The Rooster's Egg* details the inner workings of racism, misogyny, and class bias and their effects on American society. In this book, Williams, a law professor at Columbia University, uses examples from personal experience, the media, literature, and other sources to describe the many forms which prejudice can take and the crippling effects it can have on a society. The book's nine chapters are loosely organized around different themes, and through each Williams attempts to show not only the insistent presence of prejudice, but also the various forms it takes in different contexts.

Much of *The Rooster's Egg* is about the role of the media in shaping ideas about race and culture in the United States. Williams views the media—television and radio in particular—as both displaying and feeding

America's prejudices. Through contemporary examples, such as the inflammatory statements of radio personalities Rush Limbaugh and Howard Stern and *The New Yorker's* description of Tonya Harding's "redneck" hometown, she demonstrates the media's central role in nurturing and encouraging the race hysteria and class divisions felt by many Americans. From these examples, she constructs a picture of the media as the country's prime forum for prejudice, playing host to "a verbal stoning of anything different" performed by a mostly white male talk radio and TV audience.

Williams also examines the media's tendency to adopt and perpetuate shorthand descriptions of controversial minorities and women rather than take the time to explore and convey their ideas and actions in necessary depth. She cites numerous recent examples, including the widespread mischaracterization of former Attorney General candidate Lani Guinier as a "Quota Queen"—likening the media's repetition of this description to a malicious game of Telephone, in which a story is whispered from player to player and increasingly misconstrued in the process—and the demonization of Hilary Rodham Clinton, which Williams compares to the Salem witch trials. Such acceptance and adoption of these erroneous images not only robs women and minorities of the opportunity to speak but also creates fictional characters such as the "welfare queen" and the "less qualified" minority and female workers who steal jobs from white men.

The final chapters consider how the bombardment of our society with such shorthand images affects how minorities and women view themselves. Williams argues that the creation and promulgation of these false identities makes the process of finding and understanding one's own self-image more difficult for women and people of color and condemns the fact that our society sends a strong message that individuals should ignore the social and personal significance of their race and gender.

While Williams' analysis of the media is central to the book, it is only one part of her examination of society's treatment of racial, sexual, and class difference. She covers, among other topics, eugenics, education, and affirmative action, both apart from and as they relate to the role played by media coverage. In each area, Williams begins her discussion with an anecdote, then moves on to discuss issues of race, gender, and difference as they relate to that anecdote. This structure is consistent through most of the book, though the ratio of anecdote to commentary changes.

The Rooster's Egg is neither a standard treatise on race and the law nor an overly academic piece of cultural criticism. Williams writes in an engaging, often entertaining manner, sometimes angry and venting, often sarcastic, often funny, but with an underlying seriousness appropriate to her subject matter. This style does have some drawbacks, however. It is easy to become so entertained by Williams' storytelling that one might lose sight of her larger message. The stories are not difficult to understand, even for someone unfamiliar with the law. The challenge for the reader

lies in figuring out what each of Williams' various images and anecdotes has to do with the others. While each chapter is organized around one or several themes, it is somewhat difficult to see how the stories within any particular chapter illuminate these themes. What Tonya Harding, Bart Simpson, and Langston Hughes have to do with the idea of equal opportunity, for instance, becomes clear only after several readings. Nevertheless, Williams' informal style and seemingly random structure do make for a rich reading experience which calls fresh attention to American culture's many prejudices.

Ultimately, *The Rooster's Egg* is more than an extended lesson in popular culture; it is a warning about the destructive effects of prejudice on minorities and American culture as a whole. Williams reminds us that it is not only the legal system, but also the way in which American society's attitudes about race, gender, and difference are shaped, that needs reworking if the United States is to provide its citizens with an environment free of prejudice and full of the opportunity for self-creation.

Kell Simon

TURNING BACK: THE RETREAT FROM RACIAL JUSTICE IN AMERICAN THOUGHT AND POLICY. By Stephen Steinberg. Boston, Massachusetts: Beacon Press, 1995. Pp. xi, 276. \$25.00

Stephen Steinberg believes racism is prevalent in America, maintained by inertia and a deep, systemic relationship between race and economics. In the first part of his recent book *Turning Back: The Retreat From Racial Justice in American Thought and Policy*, Steinberg follows the vagaries of white liberal enthusiasm to sever this relationship.

Books serve as Steinberg's main points of reference, starting with Gunnar Myrdal's 1944 treatise, *The American Dilemma*. This massive two-volume work meticulously undermined the scientific underpinnings of racism but failed to make even a single suggestion for legislative reform. In Steinberg's story, *The American Dilemma* established the liberal orthodoxy on race—one that found racism to be troubling, but a matter of individual psychology rather than societal structure. In this paradigm, racism was a defect due to poor reasoning and ignorance. Individuals' private, racist beliefs were the mainspring of racism—most important was what whites believed about blacks. The reasonable solution to this racism was patient, persistent education to correct the false beliefs of racist Americans, particularly Southerners.

The orthodoxy of *The American Dilemma* held sway for twenty years, until a paradigm shift driven by the civil rights movement and a new radical scholarship recast racism as a problem of conditions rather than beliefs.

Steinberg locates the impetus behind the shift in nonacademic works, starting with Martin Luther King, Jr.'s *Stride Toward Freedom: The Montgomery Story* and Malcolm X's *The Autobiography of Malcolm X*. This new scholarship of confrontation named institutional racism as a problem embedded in the societal order, not merely in the minds of whites. Eradicating racism, then, suddenly came to entail much more than wiping away bad thoughts from individual minds; it required reforming the entire society.

Eventually, white liberals caught up to the politics of change. Steinberg picks two books as representative of the new white consciousness. The first, the *Kerner Report* (1968), later proved to be the high watermark of whites' willingness to take collective responsibility for their own racism. The second, Robert Blauner's *Racial Oppression in America* (1971), proposed the thesis that blacks in America cannot be accurately described as white Americans in black skin. It challenged the common wisdom among both liberal and conservative whites that color-blindness was the proper vehicle for achieving satisfactory and significant equality between whites and blacks.

The backlash came from both black and white writers, but Steinberg reserves special venom for Patrick Moynihan and his report on *The Negro Family*. Moynihan's book was published in 1965, a year Steinberg pinpoints as one of the few opportunities Americans has had since the abolition of slavery to sever the racist link between race and economics. That year, the civil rights movement won its major legislative victories with the Civil Rights Act of 1964 and the Voting Rights Act of 1965. The civil rights movement was ready to shift its demands from a call for equality in law to a call for equality in fact, from equal opportunity to equal results. At the moment the nation was poised to finally confront racism "in all its hideous fullness," America—particularly white liberals—lost its nerve. The dubious accomplishment of *The Negro Family* was its deft substitution of black families for structural racism as the object of liberal criticism, making Moynihan the arch-villain in Steinberg's story of white liberal retreat from a full commitment to racial equality.

The mid 60s were a period of crisis for white liberals faced with the obvious next step of equal outcomes. Steinberg recounts a roundtable discussion on "Liberalism and the Negro," sponsored by *Commentary* magazine in 1964. White participants touted progress in race relationships, to which James Baldwin answered, ". . . your version of American society is really very difficult for me to recognize. My experience in it has simply not been yours." For Steinberg, the roundtable symbolized how white liberals as a group were reluctant to engage in an unpopular, full-scale attack against racist institutions.

Steinberg's intellectual history shows how the liberal thought of the 1960s dovetails into today's conservative rhetoric. Moynihan's deflection of race discourse onto the black family was resurrected as Dan Quayle's

call for family values. The failure of nerve that abandoned demands for equality of outcome in the 1960s explains the left's inability to defend against attacks on affirmative action in the 1990s. The division of labor along race lines remains, as it was during slavery, the essence of racial oppression. Despite this, or because of it, political reaction to the job crisis—occupation apartheid, in Steinberg's words—has ranged from tepid to hostile.

In contrast to his well-marshalled chronicle of the retreat from racial justice in American *thought*, Steinberg drifts through the second half of his subtitle—the retreat from racial justice in American *policy*. In the final chapters, Steinberg moves from the realm of ideas to the realm of policy. He includes a severe criticism of immigration policies, arguing that, as long as employers prefer recent immigrants to African-Americans, a labor market that cannot absorb both will necessarily hurt the latter. From this immigration dilemma, Steinberg moves quickly through the myth of the black middle-class and the job crisis in black America. In the end, this inventory of the books and ideas shaping race politics directs us to the source of change: Steinberg concludes that all policies must be forced from the bottom up.

Steinberg leaves us, then, with an ironic conclusion. After berating white liberals for their failure to fully commit to racial equality, Steinberg dismisses their relevance in creating substantive change. For Steinberg, the contours of the next paradigm shift are both unclear and inevitable, but the charge will be led, as it always is, by “those segments of black society that have little reason to acquiesce in the racial statute quo.”

Lisa Kung

BEYOND BLACK AND WHITE. By Manning Marable. London: Verso, 1995. Pp. xviii, 236. \$24.95.

A little over two years ago, Action for Community Empowerment (ACE), an organization of low-income tenants based in Central Harlem, convened a forum to address the conditions facing people of color in urban America—unemployment, poor housing, police brutality. Its secondary purpose was to raise money for ACE, a grass-roots organization with a grass-roots budget. The featured speaker, Manning Marable, who had recently moved from Colorado to New York to direct Columbia University's Institute for Research In African-American Studies, delivered a comprehensive and comprehensible analysis of the post-Civil Rights political terrain. He emphasized the need for a moral vision to counter the emptiness of U.S. consumer capitalism. And he did it without charging a speaker's fee.

Marable's new book, *Beyond Black and White*, is a collection of essays, most of which have been previously published in left-leaning publications

hospitable to Marable's socialist, race-conscious perspective. The essays demonstrate the breadth of Marable's intellectual and political interests, tackling Black studies programs, nationalism, affirmative action, the marketing of Malcolm X, and the crisis in leadership of black elected officials.

In his introduction, "The Prism of Race," Marable explains the dual meaning of moving "beyond black and white." First, he argues, most Americans perceive race and race relations as phenomena involving whites and African-Americans. However, changing racial demographics, brought about by immigration from Third World countries, have disrupted this paradigm. Today, the United States is a multiracial, multicultural society. Progressive movements that fail to incorporate Latinos and Asian-Americans as well as African-Americans and to articulate a political program that addresses the issues affecting all racial and ethnic groups are doomed to irrelevance. Second, Marable argues that people who see the world exclusively through the "prism of race" necessarily face a distorted social reality. The concrete realities of class privilege and power are easily obscured in an exclusive focus on race.

Linking class and race oppression has long been a hallmark of Marable's life and work. He has been a spokesperson for the Democratic Socialists of America; his earlier titles include *From the Grassroots: Social and Political Essays Toward Afro-American Liberation*, *Blackwater: Historical Studies in Race, Class Consciousness and Revolution*, and the brilliant *How Capitalism Underdeveloped Black America*, in which he examined African-American history and concluded that the necessary precondition for African-American economic, social, and political development is a radical break with capitalism. In *Beyond Black and White*, Marable uses this critical perspective on the intersection of class and race to explore the 1992 elections as well as the decline of the Rainbow Coalition.

Marable further develops this theme in an essay entitled "Affirmative Action and the Politics of Race," in which he explains how affirmative action, though responsible for a significant increase in the size of the black middle-class, can and should be critiqued as a remedial measure that is too conservative in its aspirations. Marable argues for policies aimed at uprooting racism as a system of power, rather than affirmative action programs which simply increase representative numbers of minorities and women within the existing structure and arrangements of power.

The 1994 event in Central Harlem highlights some of the commitments of Manning Marable. A political scientist at a pre-eminent academic institution, Marable is simultaneously engaged in the messy, difficult work of addressing the seemingly intractable problems of the Harlem community that surrounds it. He argued then, as he has in many of his books and articles, that African-Americans in the academy have an obligation to work to mobilize the disenfranchised around an agenda of radical, democratic social change.

This belief is the subject of one of *Beyond Black and White's* centerpiece essays, "Black Intellectuals in Conflict." This essay discusses last year's *Village Voice* article by Adolph Reed, Jr., entitled "The Current Crisis of the Black Intellectual," which attacked a veritable "who's who" of black scholars—including Henry Louis Gates, Cornel West, bell hooks, Robin Kelley, and Michael Dyson—accusing them of elitist disconnectedness from most black people. Marable rightly questions Reed's choice of targets and condemns his crude lumping together of such diverse intellectuals, but subtly endorses the core of his critique: that "today's black middle-class scholars are not organically connected to the problems and struggles of the African-American community" (173).

Although many of the essays in *Beyond Black and White* are several years old, Marable's analysis of social problems contained within them is unfailingly relevant. The book's major weakness is an unevenness in style that seems to have come from a hands-off editing policy by the publisher. Some of the essays are heavily footnoted; others are without documentation entirely. This disparity is no doubt attributable to the wide range of the journals in which the essays previously appeared. However, the editors might have intervened to ensure greater uniformity.

These quibbles aside, *Beyond Black and White* is important reading for anyone interested in social change, particularly the responsibility of intellectuals in working to create it.

Barbara Fedders

CROW DOG'S CASE: AMERICAN INDIAN SOVEREIGNTY, TRIBAL LAW, AND THE UNITED STATES LAW IN THE NINETEENTH CENTURY, by Sidney L. Haring. Cambridge: Cambridge University Press, 1994. Pp. viii, 301.

Crow Dog's Case, by Sidney Haring, offers a social history of American Indian law. Setting his book apart from familiar legal histories which limit their focus to courts and cases, Haring articulates and implements his premise that a proper understanding of American Indian law requires an acknowledgment of and appreciation for the social and political context in which it developed. The book emphasizes the fact that, during the nineteenth century, that which was often dismissed by the federal government and the courts as the "high pretension of savage sovereignty" or "red man's revenge" was in fact the result of Indian efforts to maintain some level of sovereignty over their people and lands—a sovereignty that, for the most part, had been guaranteed to them by the same government which later sought to limit it.

Crow Dog's Case sheds light on this background by examining four distinct legal models for structuring Indian-white relations in the nineteenth century. Rather than provide a comprehensive examination of federal Indian law, each section focuses on a particular Indian people and the legal issues surrounding their incorporation into the United States. Focusing on the motivations of both Indians and whites in the struggles resulting from the meetings of these two cultures, Haring explains the evolution of federal Indian doctrine. With a balanced account of the factual situations underlying each case, *Crow Dog's Case* seeks to understand, from the viewpoint of the Indian, what the imposition of a hostile system of law entailed.

The first legal model involves the approach of federal authorities toward Indian sovereignty in the early to mid nineteenth century. Haring uses relations with the Cherokee Indians and the murder of Corn Tassel to illustrate the period's pervasive policy of federal abandonment of treaty obligations toward the Indians. Corn Tassel had been tried and sentenced under Georgia law for a crime committed on Cherokee lands. When Corn Tassel appealed his conviction to the U.S. Supreme Court, challenging Georgia's jurisdiction over him, Georgia decided to hang him before his appeal could be heard, arrogantly defying federal law and the right of federal authorities to regulate Indian affairs. This case is especially instructive because it highlights an important contradiction present in Indian law cases during most of the nineteenth century: federal Indian law evolved through the course of a legal battle between the federal government and the states over federal control of Indians and Indian lands, with tribal sovereignty and the legal rights of the native people accorded only negligible concern. Most often Indians were not even allowed to participate in the cases that determined their rights. Thus, an understanding of the structure and value of tribal sovereignty was often lacking in some of the major decisions of this period. Federal Indian law during this period is therefore unique in the sense that many of the foundational cases did not involve the true party-in-interest whose rights were being determined. As Haring argues, this realization is fundamental to any rational understanding of the early cases.

The book's second model of Indian-white relations concerns the recognition of the Indian nations of Oklahoma as "domestic nations." The struggles of the Creek are used to illustrate the dilemma that these nations often faced: the desire to build a nation that honored legal traditions of the people but also accommodated a changing native society and encroaching American nation. Haring suggests that the legal history of the Creek, and other nations, is important because it shows the capacity of the Indian people to adjust to change. Moreover, as the Creek experience demonstrated, limitations on tribal sovereignty imposed by the federal government were not the result of the Indians being uncivilized, but instead were motivated by the white man's greed for land. In the case of the Creeks, such greed ultimately led to the dissolution of their nation.

The third model suggested by Harring follows directly from Crow Dog's case and involves the policy of forced assimilation imposed on reservation Indians by the federal government. Crow Dog's case involved the killing of a Brule Sioux Chief by Crow Dog, another Brule Indian. Despite the fact that tribal law was used to settle the dispute between the Chief's family and Crow Dog, Crow Dog was tried and convicted in the territorial courts of the federal government. On appeal, the U.S. Supreme Court reversed the conviction, holding that the United States had no criminal jurisdiction over the Indians on their land because the tribes, as sovereigns, retained the right to administer their own law.

As Crow Dog's case illustrates, the western tribes did not go to great lengths to establish the legitimacy of their legal systems in relation to the American system, unlike the Indian nations of the East and Midwest. The western tribes had remained independent and maintained traditional ways in their ancestral lands. However, this independence was inconvenient to the white man, who desired to settle and claim title to much of these lands. As a result, the federal government adopted a policy of forced assimilation with regard to these Indians. The centerpiece of this policy was a campaign of misinformation; the government needed to discredit Indian sovereignty in order to justify its inhumane actions, and did so by creating a brutal image of tribal law. As Harring suggests, Crow Dog's killing of his chief was an important component of this plan because it gave the federal authorities exactly what they wanted—an opportunity to portray the tribes as savage and lawless. Federal authorities were not deterred by the Supreme Court's recognition, in *Crow Dog*, of the sovereign right of the tribes to their own law. As Harring argues, the reality was that Brule law was functioning effectively—despite the federal government's assertions to the contrary. This fact was not acknowledged by the Court. Indeed, the Court's characterization of the killing as a case of "red man's revenge" served to increase racism toward the Indians and bolstered the government's resolve in their campaign. A conscious recognition that tribal law had the capacity to mediate and resolve disputes is therefore necessary in understanding cases like *Crow Dog* and its progeny.

The fourth model concerns the complete incorporation of the Tlingit Indians of Alaska into the federal system. Harring suggests that this examination is particularly compelling because it represents a completely different approach to dealing with the American Indian "problem." Rather than recognize the tribal sovereignty of the Tlingits, the federal government chose instead to put these people under full authority of state or territorial, law, hoping that, by doing so, it would avoid the problems it had experienced with other Indian nations. Despite this attempt to extinguish the tribal sovereignty in one fell swoop, the Tlingits resisted and viewed imposition of American law as suspicious and an abridgment of their sovereignty. Although the Tlingits were able to resist for some time, ultimately

racism and ignorance by both the settlers and the courts led to their downfall. The Tlingits, like the Brule and the Creeks, had developed a system of dispute resolution which functioned for their people. The settlers refused to acknowledge this fact, however, perhaps again because it was not convenient.

The lesson to be learned from *Crow Dog's Case* is simple: the task for any scholar of federal Indian law is to infuse an understanding of first principles into any serious examination of federal Indian doctrine. As Haring suggests, "first principles" in this context means simply recognizing the sovereignty of American Indians. Unless we are to view nineteenth-century interpretations of the legal status of Indian nations as both illegitimate and illegal, we must recognize the misconceptions about Indian culture—both those based on racism and those stemming from greed—which inhere in most federal Indian law. *Crow Dog's Case* makes this point clear and provides a significant initial contribution toward a more conscious understanding of Indian legal history.

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