

This book should find a wide-ranging audience, including historians interested in biographical writing, undergraduates in classes on the Old Northwest and post-revolutionary America, as well as the general public.

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Buying America from the Indians

Johnson v. McIntosh and the History of Native Land Rights

By Blake A. Watson

(Norman: University of Oklahoma Press, 2012. Pp. ix, 494. Illustrations, notes, bibliography, index. \$45.00.)

Any work of scholarship must answer the proverbial “so what” question—what new and meaningful insight does a work provide that contributes to the greater good? The question only increases in importance when the subject of study—here, the Supreme Court case *Johnson v. McIntosh*—has already received considerable scholarly attention.

Surprisingly, Blake A. Watson does not offer a particularly explicit answer to this question in his otherwise ambitious and accomplished work. In fact, he undersells his contribution early in the text when he notes that he seeks to “provide additional historical context” (p. xiv). He comes the closest to making explicit his purpose in the conclusion, where he notes that he hopes to “facilitate a critical assessment of the impact of *Johnson v. McIntosh* on indigenous land rights in the United States and elsewhere” (p. 358). Watson likely had difficulty articulating a single purpose for his book because he actually sought to ac-

complish several goals, two of which predominate throughout the text.

First, Watson successfully dissects John Marshall’s famous opinion and exposes its inconsistencies. Although Marshall remains the United States’ most influential jurist and a commanding figure in American law and politics, he had a tendency to treat the pronouncements in his opinions as facts, simply because he had made them. In *Johnson v. McIntosh*, for example, Marshall made several suppositional and unsubstantiated statements about the limited nature of tribal property rights that he subsequently took for granted. Watson contextualizes those assertions—generally refuting their absoluteness—and explains that Marshall made his decision amidst fierce debates over the nature of tribal property rights. The goals of non-Indians—whether land speculators seeking personal wealth, individuals governed by their morals to recognize tribal rights, or various governments vying for authority on

the hotly contested continent—often fueled these debates. Watson makes clear that Marshall made choices concerning tribal property rights, and did not merely accede to the prevailing norms of the times as his famous opinion would have one believe.

Second, Watson remembers those most often forgotten in the opinion: the tribal peoples who engaged in the land transactions that led to *Johnson v. McIntosh*. Because the decision looms so large in Indian law, scholars often neglect to discuss the fact that the Native peoples involved in the land transactions were not a party to the case, had no say for themselves in the proceedings, and were enduring their own difficulties outside of American courts of law. Watson carefully traces their travails, and, more importantly, their continued existence into the present day. This alone makes the book important and distinct from other works on *Johnson v. McIntosh*.

Unfortunately, the book exhibits some weakness and would have

benefited from one more strong edit. Too often, Watson lets others speak for him, using long quotes from other sources that both obscure the author's voice and make the book read like a literature review. The book's thorough nature also offers detail that occasionally feels superfluous, particularly in light of the fact that Watson does not always carefully articulate the thesis behind the information.

Nonetheless, these are relatively trivial gripes about an otherwise useful work. Anyone interested in tribal rights, *Johnson v. McIntosh*, and the case's reverberations into the present will benefit from reading it.

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The Production of Difference

Race and the Management of Labor in U.S. History

By David R. Roediger and Elizabeth D. Esch

(New York: Oxford University Press, 2012. Pp. vii, 286. Illustrations, notes, index. \$34.95.)

This fascinating study of what co-authors David Roediger and Elizabeth Esch call “management by race” turns on a central contradiction embedded in the social imagination of much American managerial thought. On

the one hand, efficient production requires systematic workplace rationality that treats each laborer as an individual whose performance can be improved by universal scientific study; on the other, in a multiracial