

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

and multinational workforce, the “production of difference” among workers rested on divide-and-rule techniques of race management based on pseudo-anthropology masquerading as racial knowledge.

This highly readable account of how the American managerial class worked through this conundrum—from roughly the expansion of U.S. slavery during the 1830s to the triumph of immigration restriction a century later—draws on the strengths each author brings to the collaboration. Roediger builds on his prolific work on the racial divisions within the working class, especially the ability of immigrant workers to claim the mantle of “whiteness” in the labor market and social order. To this, Esch—whose research focuses on the imperial projection of American managerial and racial ideology—adds a highly original transnational dimension.

The authors locate the origins of racialized managerial thought and practice on the slave plantations of the antebellum South. Drawing on travelers’ accounts and a wide array of articles drawn from agricultural journals like *Southern Planter*, they argue that slaveowners “inaugurated management theory in the United States” (p. 20). While this may be an overstatement, the authors make a convincing case that for forward-looking planters, “race-thinking centrally defined what was modern, scientific and progressive” (p. 40) in the realm of plantation management.

Moreover, Roediger and Esch suggest that the racial “knowledge” of the plantation “outlived the emancipation of the slaves” (p. 41), leaving a deep imprint on American workplace governance in a multiplicity of regional and racial settings.

In the second part of *The Production of Difference*, Roediger and Esch examine the spread of “whiteness-as-management” (p. 11) to the railroad camps and hard-rock mines of the trans-Mississippi West, and then beyond the nation’s physical borders to places like Panama, the Philippines, and South Africa. In all of these settings, control of a multiracial working class proved “the leading edge in reshaping the labor process around race” (p. 69). Much the way scholars of European imperial history have shown how subjection of peoples abroad impacted social relations in the metropole, Roediger and Esch argue that the managerial frontier offered race management lessons for the pioneers of scientific management in American industry. As they note, both “managers and ideas moved back and forth between domestic and foreign workplaces,” (p. 101) accumulating knowledge through domestic management of female household help in Panama’s Canal Zone, road building in the Philippine hills, or calculations of mining productivity in South Africa (carried out by none other than Herbert Hoover).

In the final section of the book, the authors argue that so deeply did these experiences embed “management

by race” in the American workplace that the universalist prescriptions of modern efficiency experts could not displace it. On the shop floors of the nation’s meatpacking plants and steel mills, managers simultaneously “embraced thoroughgoing rationalization of production and the continuation of unstudied race management” (p. 153). Even when wedded to the new science of industrial psychology, the pages of industrial and managerial journals of the 1920s echoed the racial prescriptions of the antebellum planters’ journals.

The book’s wide scope gives it a bold and provocative edge, and should make it of interest to scholars in several fields. Still, this very sweep sometimes dilutes the force of the argument, leaving a fixed definition of “whiteness-as-management” hard to pin down. And the authors never

satisfactorily resolve the tension between the managerial tendency to homogenize labor and to divide it. Characteristically, the managerial class itself cut through this contradiction with an all-too-simple maxim: “If a white man gets ‘cocky,’ it does seem good to ask how he would like to see a nigger get his job” (p. 63). As *The Production of Difference* demonstrates, the racial categories themselves can be considered fluid and historically contingent; the strategy itself less so.

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The Jury in Lincoln’s America

By Stacy Pratt McDermott

(Athens: Ohio University Press, 2012. Pp. xiv, 258. Illustrations, notes, bibliography, index. \$54.95.)

After arguing more than a thousand cases before juries during his quarter century at the bar, Abraham Lincoln had become somewhat disenchanted with the system. As president, he lamented that “a jury can scarcely be empanelled, that will not have at least one member, more ready to hang the panel than to hang the traitor.”

In *The Jury in Lincoln’s America*, Stacy Pratt McDermott takes a more positive view of juries—at least those

in the antebellum Midwest. Working largely from the treasure trove of primary source material contained in *The Papers of Abraham Lincoln: Legal Documents and Cases* (2008) and *The Law Practice of Abraham Lincoln* (2008), of which she was a co-editor, McDermott concludes that “jurors were generally competent.” Upon an examination of 175 cases tried in Illinois, Indiana, Iowa, Michigan, and Wisconsin, she notes that jurors were