

generalized relevance outside the legal system that demands individual and particular justice.

This book is a rich collection of essays each of which could be read on its own in classes on law, politics, sociology, criminology, philosophy, and media studies. As a whole, the book is only the beginning of a deeply important conversation about the state's persistent and suffocating mechanisms of control justified as legal punishment for criminal behavior but which punishment we see and understand through popular culture to be discriminatory and inhumane. Whether we understand popular culture as a window onto reality, as unmasking hidden structures and meanings in society, or as a constitutive force in the socio-political institutions that bind and organize us, we know these stories work on us and persist through us. When their subject is punishment and justice, stakes seem higher and their effect on our bodies greater. This book calls us to pay attention, and indeed it is captivating. *Punishment in Popular Culture* is a well-conceived book hopefully followed by many others developing its themes.

References

- Binder, G., & Weisberg, R. (2000) *Literary Criticisms of Law*. Princeton, NJ: Princeton Univ. Press.
- Sherwin, R. (1996) "Picturing Justice: Images of Law and Lawyers in the Visual Media," 30 *Univ. of San Francisco Law Rev.* 891–901.

* * *

The Beginning and End of Rape: Confronting Sexual Violence in Native America. By Sarah Deer. Minneapolis: University of Minnesota Press, 2015. 232 pp. \$22.95 paperback.

Reviewed by Evelyn Rose, The University of Melbourne

Native American scholar Sarah Deer's new book is a timely and valuable contribution which offers a wide-ranging and insightful consideration of the crisis of sexual violence against Native women. The author opens by challenging the description of this problem as an "epidemic," arguing that the term depoliticizes the issue by conjuring images of a mysterious, spontaneous problem of unknown origin. Deer wastes no time in convincing us that, in reality, the rape of Native women is founded upon a history of state-sponsored

violence and is sustained by the very structures and institutions that purport to prohibit and prevent this crime. From the outset, it is clear that, fundamentally, this book is about the inextricable intertwining of the violence of colonization and the violence of rape.

Deer establishes her priorities clearly in chapter one by noting the methodological limitations of conventional data-gathering on the rape of Native women. She questions the reliance on statistics to “know” the issue, and asserts that the voices and documented histories of survivors provide more real, useful, and compelling data. Indeed, throughout the book, Deer is determined to assign proper value to the experiential wisdom of women who have survived both violent colonization and violent rape, arguing that these situated knowledges provide insight into the profound and unmeasurable destruction of the harm, help to challenge the stereotypes of inferiority inscribed upon the Native population, and map a possible way out of the crisis.

Chapters two through five provide a detailed historical, legal, and political overview of responses to rape from precolonialism through to the current day. Although the discussion is at times descriptive and meandering, there is no obvious prescription for covering a terrain of such vastness and complexity. Deer’s narrative is consistently engaging and fascinating and is peppered with evocative and often disturbing excerpts from original historical documentation such as the diaries of colonizers. A particularly interesting point made in chapter two—and threaded throughout the entire volume—is the incompatibility of Native and colonial law in their conceptualization of women, sex, gender, identity, and rights. As Deer explains, it was patriarchal colonial law that conceived of rape as a property crime, whereby the sexual violation of a girl or woman was only recognized because it devalued a man’s assets. Gendered power and worth in Native systems, on the other hand, was and is far more complex.

Chapter four provides a particularly interesting analysis of government apologies to Native people, noting their omissions and silences and how they ultimately fall short through their failure to acknowledge the pervasiveness and continuing legacy of harms. Chapter five highlights the persistence of chattel slavery into the present, in the form of the euphemistically-framed “sex trafficking.” The sixth chapter is an interesting inclusion: centered around the tragic personal story of Dana Deegan, Deer highlights the need for an indigenous feminist approach to understanding the experiences of women survivors of violence. Reminiscent of bold feminist writings which deftly weave anecdote and poetry into incisive theoretical analysis, this chapter reinforces the sense that Deer is a feminist pioneer, prepared to bend disciplinary convention in order to produce literature that is compelling and challenging on

both an affective and intellectual level. Symbolically, this chapter provides a momentary pause and a timely reminder of the personal realities that underpin the need for this book. Then, Deer launches into the final four chapters, which critically consider recent legal reforms that have further contributed to outrageous levels of rape. In the concluding sections, Deer proposes a range of survivor-centric approaches and self-determination-based remedies that may begin to “decolonize” America and address the “vacuum of justice” (p. xiii) that exists for so many Native women.

Throughout her book, Deer demonstrates an impressive command of a range of complex content. She writes with passion and pain of the many generations of women burdened with unspeakable trauma, yet never loses sight of the broader dimensions of the problem. Grand themes like law, society, power, politics, colonialism, structure, institution, oppression, race, sex, identity, spirituality, and belief systems are artfully woven throughout the cohesive and compelling narrative. Deer’s writing is engaging and refreshing, making reading this book—despite its challenging content—a pleasure. Unlike much academic literature, it is light on discipline-specific jargon, thus continuing in the tradition of feminist political writers who show a determination to produce work that is accessible to a wide readership. Accordingly, this publication will be of great use to scholars and practitioners in a variety of fields. It is an excellent example of innovative interdisciplinary work and is highly recommended for those working in law, criminology, politics, history, public affairs, indigenous, postcolonial, sex and gender studies, and in the areas of peace, conflict, justice, and transitional justice.

* * *

The Political Roots of Racial Tracking in American Criminal Justice.

By Nina M. Moore. New York: Cambridge University Press, 2015. 406 pp. \$30.99 paperback.

Reviewed by Bryan L. Sykes, University of California-Irvine

In April 2016, Black Lives Matter (BLM) protesters clashed with Bill Clinton over his role in the passage of the 1994 Crime Bill and Hillary Clinton’s use of the term “super predators” to describe the involvement of black youth in criminal offenses. Demonstrators sought to highlight how policymakers and the general public construct narratives and social policies that fuel misperceptions,