

deserving fuller answers are why the NRA could not achieve such a fusion and why pre-New Deal efforts to develop national managerial capacities outside of government, as exemplified particularly in projects undertaken by the National Bureau of Economic Research, the American Engineering Council, and Hoover's Commerce Department, were not embraced and built upon in 1933. In addition, the authors are not fully persuasive when they insist that agriculture and industry were equally complex or when they downplay the connections between the agricultural experts in their story and private-sector institutions. These, however, are minor flaws. Most of their arguments are sensible and persuasive, and both historians and political scientists can benefit from their insights.

Law and the Great Plains: Essays on the Legal History of the Heartland, edited by John R. Wunder. Contributions in Legal Studies Series. Westport, CT: Greenwood Press, 1996. x, 194 pp. Notes, appendixes, index. \$59.95 cloth.

REVIEWED BY NORMAN L. ROSENBERG, MACALESTER COLLEGE

The legal history of the Great Plains remains to be written. To help begin this task, the University of Nebraska's Center for Great Plains Study sponsored a conference in 1991, and *Law and the Great Plains* somewhat belatedly follows up that meeting by making available eight papers from the gathering. (Three of the best chapters in this volume were published "in substantially similar form" in 1992.)

A very brief introductory chapter by John Wunder and a longer conceptual essay by Kermit Hall begin the collection. Although a focus on regionalism has long marked the writing of legal history, Wunder notes, the Great Plains has rarely captured the attention of legal writers. Things might have been different. "What if the modern scholarship of law and race had not initially considered slavery and African-Americans," Wunder asks, and instead begun with the legal relationships between the indigenous and white populations on the Great Plains (5)? He concludes that, in light of new directions in both legal and western history, the Great Plains might still provide "a meeting point" where these two scholarly fields could converge.

Kermit Hall, expanding on Wunder's historiographical sketch, highlights some of the problems "of thinking of the Great Plains as a legal unity" (19). How should legal scholarship, for example, consider intraregional differences? What about the relationship, so evident in the Populist revolt, between law and economics? And how should historians measure the legal impact of the national government on

such a diverse region? Further studies, Hall concludes, may ironically find the legal culture of the Great Plains to be "more of a paradox than a bundle of values and attitudes associated with a clear geographical area" and "far more like the rest of American legal culture than it was different from it" (24).

The remaining chapters of *Law and the Great Plains*, which are organized in three general divisions, suggest some of the different types of specific scholarship that might respond to the general challenges of Wunder and Hall. Three chapters consider "landmark" cases from the region. Paul Finkelman skillfully reviews the anti-German cultural background of several cases from the 1920s, including *Bartles v. Iowa* (1923) and *Meyer v. Nebraska* (1923), in which the U.S. Supreme Court struck down laws that limited the teaching of foreign languages. James W. Ely Jr. revisits the *Chicago, Milwaukee, and St. Paul Railway v. Minnesota* case (1890), stressing the extent to which this controversial decision provided important federal support for property rights. Finally, Michael S. Mayer puts a regional focus on the *Brown* desegregation decision of 1954 by emphasizing the role of a Kansas-born president, Dwight D. Eisenhower.

The other sections of *Law and the Great Plains* depart, with mixed results, from the familiar "landmark" cases approach. Separate chapters examine two Great Plains "legalists," Karl Llewellyn of the University of Chicago Law School and William Jennings Bryan. Scott Landers's critique of the philosophical underpinnings of *The Cheyenne Way*, a study of nineteenth-century dispute resolution practices among the Plains Indian tribe, will likely be of more interest to students of legal realism, a style of jurisprudence with which Llewellyn became identified in the 1930s, than to historians of the Great Plains itself. Andrew B. Koszewski's study of a series of legal cases that Bryan took to the Nebraska Supreme Court may establish the Great Commoner's reputation as a capable attorney—he "achieved a certain position of significance with Nebraska's highest court and within Nebraska's legal community" (131)—but would seem to offer only a minor footnote to the legal history of the larger Plains region. Similarly, Lawrence H. Larsen's barebones outline of a hundred years (1857 to 1960) of "Federal Judging" on the U.S. District Court for the Western District of Missouri modestly concludes that this tribunal was graced by forceful jurists who "contributed markedly to the federal establishment of the rule of law in America's heartland" (147).

In a more promising vein, Frank Pommersheim concludes the collection with a wide-ranging, provocative sketch of the legal culture and judicial practices of the Rosebud Sioux Tribe. Pommersheim, a law professor at the University of South Dakota and a tribal court

judge himself, insightfully draws on recent critical legal scholarship to highlight not only the past, particularly in terms of the controversial issue of tribal sovereignty, but possible futures for tribal courts. Pommersheim's study — along with Kermit Hall's introductory essay and the three chapters on landmark cases — justify the hope that John Wunder holds for the future of scholarship about "law and the Great Plains."

The Heartland Chronicles, by Douglas E. Foley. Series in Contemporary Ethnography. Philadelphia: University of Pennsylvania Press, 1995. x, 228 pp. Illustrations, references, index. \$34.95 cloth, \$14.95 paper.

REVIEWED BY MARY OLSON, CORNELL COLLEGE

A Chicano "radical" once castigated anthropologist Douglas E. Foley, saying, "You'll never understand us. If you want to be a civil rights crusader, appease your white guilt by writing about racial injustice in your community" (xii). In *The Heartland Chronicles*, Foley accepts the challenge and returns after twenty-five years to his "hometown and boyhood memories" to tell the story of Indians and whites living together in Tama, Iowa, a rural community bordered by the Mesquaki Indian settlement (xii). To explore this cultural borderland, Foley drew on his racial memories, interviewed Indians and whites, attended town and tribal rituals, and examined the field notes of an earlier anthropological study of the Mesquakis and the archives of local newspapers.

The Heartland Chronicles reveals life at the Tama/Mesquaki border as tinged with racism and mutual images of "mysterious, forbidding places" (3). A white boyhood friend recalled the Mesquaki settlement as a "dark, scary place. . . . They used to say it was a dangerous place after dark with all the drinking and fighting and all the knives and guns" (3). Similarly, a Mesquaki classmate remembered that "Town was a kinda scary place. It seemed like people stared at you. . . . some people taught their kids that whites would hurt them" (4). Many white classmates recalled Tama High School as a place with little racial hostility; they warned Foley that "most Indians would exaggerate how bad whites mistreated them" (9). An Indian classmate disagreed, pointing to incidents when Mesquaki students were treated as outsiders (13). Perceptions also clashed over the arrival of the American Indian Movement (AIM) in the 1970s. "Most whites accused AIM of stirring up racial trouble," but AIM inspired many young Mesquakis (33). As he reviews Tama's past, Foley admits that "many whites do not condone racism, but we find it hard to stand up to our rednecks" (13).

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