

right of compensation proved self-defeating; once exempted from taxes by this means, *roturier* land could never again serve as the basis of compensation. Over the course of the early modern period “noble tax exemption had been dying a lingering death through the smooth, routine operation of the right of compensation” (129). The French Revolution produced even more glaring contradictions. After the abolition of feudalism on August 4, 1789, advocates for the Third Estate suddenly began insisting that properties they would earlier have characterized as *roturier* were now noble: an all-too convenient volte-face given the elimination of feudal titles. Blaufarb shows that an elaborate Old Regime juridical culture of arbitration and compromise continued to shape contests over the land tax well into the early nineteenth century. The Napoleonic reaction removed the fight from the province of revolutionary politics and returned it to the absolutist judicial sphere.

The technical nature of the subject matter yields references to such things as the “preservative character of emphyteotic leases” (236), and Blaufarb sometimes hews a little too closely to the language and perspective of his sources. But this book brilliantly shows how litigation over fiscal privilege in early modern France “defined the channels through which the new revolutionary political culture flowed” (270).

Malick W. Ghachem

Massachusetts Institute of Technology

Katrina Jagodinsky, *Legal Codes and Talking Trees: Indigenous Women's Sovereignty in the Sonoran and Puget Sound Borderlands, 1854–1946*, New Haven: Yale University Press, 2016. Pp. ix + 352. \$30 (ISBN 9780300211689).

doi:10.1017/S073824801800010X

In 1864, King S. Woolsey apprehended Lucía Martínez, a Yaqui child who had escaped from the intertribal slave trade in the Sonoran desert. Forced to tend to Woolsey's domestic and sexual demands on his Arizona ranch, Martínez faced a complex web of laws in her long fight to secure freedom for herself and the children she bore there. These laws were largely established through the Howell Code, approved by Woolsey himself in his role as territorial legislator. The code enshrined the supremacy of white men's rights to the bodies, labor, and lands of Indigenous women in the developing territory. The code set the age of sexual consent at 10 years, barred Indigenous girls and women from bringing cases against white defendants to court, and facilitated the indenture of Indigenous children such as Martínez and her daughters. Miscegenation laws

blocked Martínez from making paternal claims against Woolsey. In turn, he was able to claim his children as chattel, indenturing them to a neighboring family. Martínez nonetheless, through persistent court challenges, was eventually able to secure the physical, if not legal, custody of her daughters.

Katrina Jagodinsky's *Legal Codes and Talking Trees: Indigenous Women's Sovereignty in the Sonoran and Puget Sound Borderlands, 1854–1946* centers around Martínez and five other Indigenous women who engaged with the legal systems of Washington and Arizona, both of which transitioned from territorial establishment in the 1840s to statehood by 1889 and 1912. She narrates in great detail these women's persistent efforts to maintain what she terms "land-based corporeal sovereignty" (8–9) over their bodies, progeny, and homelands. She convincingly argues for the central place that legal access to Indigenous women's bodies, labor, and land had within settler colonial processes, areas that have received significantly less attention than treaties and warfare in studies of colonialism in the West. This access was facilitated in both cases through the territorial legal codes of Arizona and Washington, despite the latter initially including greater legal rights for Indigenous residents. Through her comparative framework, Jagodinsky is able to examine how these divergent codes were tied to the territorial specificities from which they emerged, while simultaneously demonstrating remarkable similarities in their effect on the Yaqui, Salish, O'odham, Duwamish, Yavapai, and Sauk-Suiattle women's lives she examines. The legal issues that these women encountered ranged from age of consent and indenture to inheritance and miscegenation law, federal/state jurisdictional disputes, allotment, and the force of bureaucratic development. The legacies of some cases have ongoing implications in struggles for federal recognition to this day, most clearly through Rebecca Lena Graham's work in establishing the Duwamish Tribal Organization and maintaining claims to Duwamish heritage and identity in Seattle.

Jagodinsky expertly leverages silences in the records she consults as an opportunity to investigate the legal details of the women's lives she studies. In the case of Nora Jewell, it is unclear whether her mother died. Jagodinsky lays out the alternatives the mother would have faced (had she survived) of staying in the San Juan Islands—with no property rights under miscegenation laws—or returning to British Columbia to face conscribed rights under the Canadian Indian Act. It is this type of creative and meticulous work that makes this book eminently thought provoking and persistent in its challenge to assertions that the lack of records in Indigenous women's legal history is a roadblock for historians to engage with the complex realities of their lives.

Jagodinsky's refusal to accept silences in the records extends to her engagement with Indigenous law. Through the oral and family histories she was granted access to, Jagodinsky incorporates the world views and legal and moral frameworks that these women likely drew upon in facing their respective challenges. She presents the work of the six women as an extension of

these older foundations, which should be understood as “a form of ‘case law’ that makes up the legal traditions of Indigenous people”(2).

Jagodinsky herein makes several important interventions in the field of Indigenous and Western legal history. Her focus on territorial and state legal systems, rather than the federal records that are most often consulted in Indigenous historiography, opens questions about how access to land was facilitated outside of reservation boundaries. Historians of gender, borderlands, and colonialism will all find this work important in its careful investigation of the relationships between intimate local dynamics and state and federal laws. Jagodinsky’s vivid case studies will provide invaluable teaching tools to generate nuanced and engaging conversations around how individuals negotiated and challenged various legal orders and historic change. Her writing is at times very dense with detail, but by working through this density, the reader is rewarded with a rich picture of the interconnected personal and political relationships that influenced each of her case studies.

The extraordinary Twanas, Klallam, Salish, and Surem women with whom Jagodinsky opens her book encountered shape-shifting beings and were able to interpret the words of warning a talking tree brought to their communities. Likewise, the women to whom Jagodinsky introduces us played vital roles in “encountering and engendering change and conflict” (2) as they faced threatening and violent agents of change in their own lives. They returned to their children, their communities, and their lands bearing new strategies for survival.

Chandra Murdoch
University of Toronto

Andrew S. Thompson, *On the Side of the Angels: Canada and the United Nation Commission on Human Rights*, Vancouver: University of British Columbia Press, 2017. Pp. ix + 193. \$89.95 cloth (ISBN 9780774835039); \$29.95 paper (ISBN 9780774835046).
doi:10.1017/S0738248018000111

The history of human rights in Canadian foreign policy has been receiving increasing attention from scholars over the past decade. Andrew Thompson, an assistant professor at the University of Waterloo and the author of a previous study of the role of several nongovernmental organizations (NGOs) in building the contemporary Canadian human rights regime (Thompson, *In Defence of Principles: NGOs and Human Rights in Canada* [Vancouver: University of British Columbia Press, 2010]) has produced a valuable addition to this growing historical literature. Making special use of a wealth of archival