

Helen Irving, *Citizenship, Alienage, and the Modern Constitutional State: A Gendered History*, Cambridge: Cambridge University Press, 2016. Pp. 282. \$110.00 Hardcover (ISBN 9781107065109). doi:10.1017/S0738248017000153

Women's unbroken progress toward equality is a core myth of liberal democracies, with the late nineteenth/early twentieth century movement for political rights cast as the climax in a tale of relentless advance. This focus on women's national victories has obscured the deprivation of rights that was underway on an international level at the very same moment. In response to a vastly accelerated global labor market, states around the world, with astonishing swiftness and uniformity, enacted laws that stripped women of their nationality upon marriage to foreign men. Although women activists protested these changes, they continued to focus on the national franchise, inspired as they were by a vision of peace among nations once women had power within each nation. From today's perspective, the right to cast a vote may be less vital than the right to a passport, to a national citizenship that provides protection and freedom of movement in the global community. "As a woman, my country is the whole world," wrote Virginia Woolf, expressing a cosmopolitan sentiment that still resonates. In reality, if you are only a "citizen of the world," you are a citizen of nowhere and an alien everywhere, vulnerable, probably impoverished, and disabled by your status from doing much about it.

Helen Irving reminds the reader of this fundamental reality through a history of marital denaturalization, a practice that resulted in the loss of citizenship for hundreds of thousands of women from the late nineteenth century through the Second World War, dwarfing by far any other basis for loss of citizenship in this period. The neglect of this history in most studies of citizenship and alienage, which Irving documents through a survey of the literature, recalls an earlier era when scholars could refer to the nineteenth century expansion of "universal suffrage" without noting the exclusion of half the population. Irving argues not only that this history is important in itself, but also that it is critical for the contemporary debate over the limits of citizenship as a category of political belonging. Women's experience of marital denaturalization, and the statelessness that often ensued, she argues, provide evidence for the "existential" importance of citizenship as a guarantee of protection that only a territorial state can provide.

Irving's theoretical stance in the debate over citizenship is reiterated throughout an otherwise very concrete comparative survey of nationality, from the Napoleonic Code in 1804 through the 1957 United Nations Convention on the Nationality of Married Women, and on to the reassertion of the 1957 principles 22 years later in the Convention on the Elimination of All Forms of Discrimination against Women. In spite of the broad promise of her title and the international reach of marital denaturalization, Irving's original scholarship and almost all of her examples are drawn from Britain, the

British Dominions, and the United States. The relationship between nationality laws and imperialism is not addressed, although a fascinating section on Ireland's experience points to the importance of the imperial factor. With these limitations in mind, there is still much to be learned from Irving's survey, especially about the reciprocal and contingent nature of lawmaking among states that recognize no sovereign authority above their own. In a shrinking, increasingly mobile world, constitutional states recast their claims over populations in terms of allegiance owed by male heads of households, an understanding of citizenship that served to legitimate state sovereignty and, Irving argues, facilitate diplomacy in a rapidly changing system of international relations. As a corollary, the nationality of a woman, regardless of her residence or where she was born, would become that of her husband, even if his citizenship changed during the marriage. National citizenship laws are enforceable only within the state that enacts them. Nevertheless, states around the world, led by Britain in 1870 and the United States in 1907, passed laws that stripped women of citizenship, which they had the power to do, and claimed to replace it with the nationality of another state, which they did *not* have the power to do. The chaotic consequences that ensued remind one of the instability of law in its actual application, as consulates, custom agents, and other officials made decisions on their own, sometimes unaware and in violation of the applicable legislation.

The catalytic effects on global migration triggered by the First World War brought this situation to a breaking point, and with the passage of the United States Cable Act in 1922, the trend toward marital denaturalization began to reverse. Less a victory for the champions of women's rights than an attempt to limit immigration by closing the door to citizenship through marriage to an American male, the act allowed women to retain their citizenship upon marriage, although they would lose it if they married an Asian noncitizen or any other noncitizen and moved abroad. Some states followed the United States' example, as the clear relationship between statelessness and marital denaturalization led the League of Nations to call for at least partial rollback of these laws. It took the racial citizenship laws of Nazi Germany and the global upheaval of the Second World War to bring an end to marital denaturalization in Britain and the dominions. The passage of international treaties endorsing gender equality in nationality in the second half of the twentieth century marks a positive shift, in Irving's view, toward a conception of citizenship as an unconditional right that only the citizen, not the state, can choose to extinguish.

Irving has provided an essential resource for scholars of comparative law, although timelines or some other form of clarifying supplement would have made this dense, sometimes repetitive text more useful. A handful of examples from elite Western women of the emotional loss they experienced through marital denaturalization are a thin basis upon which to build her claim to

territorial citizenship's existential value. (I am puzzled why she did not use Emma Goldman's expansive reflections on the trauma of denaturalization, or those of Mary Das, who became stateless in 1923 when the United States Supreme Court revoked her husband's citizenship, along with all other naturalized "Hindus.") Irving's own account provides evidence counter to her claim, as does the contemporary situation of immigrants, many of whom would readily relinquish their citizenship if it enabled them to remain in or return to the community they call home. Women and children far outnumber men in the refugee camps near conflict zones. Without an acknowledgment of these realities, as well as of the continuing gender inequality in many immigration and parental transmission of citizenship laws, Irving risks buttressing the myth of unbroken progress that her valuable history otherwise challenges.

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Lisa McGirr, *The War on Alcohol: Prohibition and the Rise of the American State*. New York: Norton, 2015. Pp. xxii, 330. \$27.95 (ISBN 978-0-393-06695-1).

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In 1827, Protestant minister Lyman Beecher called for "ardent spirits" to be banished "from the list of lawful articles of commerce," and for the next century, activists worked to eradicate alcohol from American life. The Eighteenth Amendment should have been their moment of triumph, but notoriously, the 14-year "noble experiment" ended with the amendment's repeal and the temperance movement's demise. Most Americans view Prohibition as a laughable, inconsequential failure, but historian Lisa McGirr argues that it was a powerful moment in modern American history. It transformed lives, realigned partisan politics, and most importantly, provided the foundations for the modern federal penal state and the war on drugs. These timely contentions are certain to interest a wide range of scholars and the broader public.

McGirr develops her important claims over eight lively chapters. Experts will find little new in her rehashing of the roots of the Eighteenth Amendment, but lay readers will appreciate the background. Some scholars will quibble with her eagerness to dub Prohibition "radical," especially in light of the near century-long crusade against drink and the propensity of Progressive reformers to turn to government and constitutional change to achieve their goals. As elsewhere in the book, her characterizations here are sometimes too neat. Prohibitionists, for example, would not have agreed that