

Despite the revolutionaries' constant paeans to the will of the people, Kolla's account largely omits the impressions of the foot soldiers of revolution, favoring instead the letters of deputies, generals, dispossessed princes, and other elite actors. Paradoxically, this allows Kolla to illuminate a central irony of revolutionary foreign policy: no matter how often revolutionary populism sought its legitimacy from the people, it more often than not went over their heads, using back channels with sympathetic local elites to obtain the preferred result.

Notably absent is a satisfactory analysis of Napoleon's self-conscious resurrection of Old Regime notions of sovereignty. Kolla seems to accept at face value Napoleon's convenient conflation of personal popularity with the will of the people, preferring to view the First Empire as continuous with previous revolutionary policies toward conquered territories. This view is hard to reconcile with Napoleon's boast to his new father-in-law Emperor Francis I of Austria that he was "the Rudolf of my race," and his constant interference in the marriages of his siblings and generals so as to maximize France's strategic position: schemes that smack of Old Regime Habsburg dynasty building. The book also would have benefited from a more thorough exploration of Old Regime discourse on the monarch as the guarantor of the will of the people, an intellectual tradition first mined then rendered irrelevant by the French Revolution.

These minor criticisms aside, Kolla's examination of the profound legacy of the French Revolution in "catalyzing a transition from dynastic to popular then national" sovereignty (281) is indispensable. Kolla's conclusion, in which the Pandora's box of popular sovereignty is interrogated in light of the nineteenth and twentieth centuries, is masterful and far reaching. This long-overdue work catalogues how the legitimacy of international law shifted from treaties between monarchs who spoke French and ruled by virtue of their bloodline to treaties between representative bodies whose locus of sovereignty lay in the will, language, and ethnicity of the people.

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Martha S. Jones, *Birthright Citizens: A History of Race and Rights in Antebellum America*, New York: Cambridge University Press, 2018. Pp. 248. \$27.99 paper (ISBN 978-1-316-60472-4).
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From the very moment of its inception, American citizenship was unevenly extended across the native-born population, with race and slavery constituting

major lines of fracture. As the nineteenth century opened, however, controversy came to center especially around the country's growing population of free blacks. For decades, debates would rage over whether free blacks were citizens and what rights they possessed. A colonization movement called for their removal from the United States. The United States Supreme Court's infamous 1857 *Dred Scott* decision, setting forth the idea that blacks could not be United States citizens by reason of their race, was intended to resolve such debates, but ended up exacerbating them. Only with the passage of the Fourteenth Amendment in 1868, which effectively overruled *Dred Scott*, was the rule of *jus soli* or birthright citizenship constitutionalized.

Taking this narrative as background, Martha Jones's *Birthright Citizens* trains its focus on the free black community of antebellum Baltimore. Baltimore was an important center of free black life during this period, just as Maryland (not coincidentally) was a center for those calling for the repatriation of free blacks to Africa. How did free blacks negotiate official and unofficial efforts calling for their removal, denying their citizenship, and subjecting them to onerous restrictions on movement, severe discrimination, and even the possibility of re-enslavement?

Through painstaking archival research, Jones shows that law was frequently the answer. Ever alert to the threats facing them, Baltimore's free black legal sophisticates sought out the best legal counsel to challenge denials of their birthright citizenship, showed up in court to procure the permits they needed to go about their business, turned to influential whites as sponsors, and brought suit to work through intra-community disputes. Although the specter of colonization led some to leave, most remained, embracing the law to resist actively, one the one hand, and to live their lives, on the other.

It is precisely the difference between resisting actively and living one's life that Jones draws into question. Notwithstanding its title, *Birthright Citizens* is less a book about free blacks' discourses claiming birthright citizenship than it is one about how free blacks achieved citizenship through attempts to secure everyday rights and privileges. This is an important point (and one with considerable relevance for the immigration and citizenship debates of today). Even while they were denied legal recognition as citizens in legislative chambers, high courts, and legal treatises, free blacks acquired many quotidian rights and privileges associated with citizenship (patents, gun permits, travel licenses, employment on naval vessels), which made it easier for them eventually to stake their claims to citizenship. When the *Dred Scott* decision came down, it was a lot less potent than subsequent generations would take it to be, precisely because much citizenship had already been won "on the ground." To my mind, no scholar has made this argument quite as effectively or pointedly as Jones has.

But Jones pushes further. For her, seeking out the law *tout court* made free blacks *look like* rights-bearing subjects, which in turn somehow made them

proto-citizens. As Jones puts it in a striking passage, “When they entered the courthouse, what transpired was not at all what lawmakers had intended. Black petitioners looked more like rights-bearing people than the degraded subjects they were intended to be. They took part in courthouse culture. . . . On the city’s streets, with court-issued papers in their pockets and pouches, black Baltimoreans looked more and more like persons with rights” (71). To the extent that Jones is making a general claim here, one might raise questions. Is the gap between “degraded subjects” and “rights-bearing people” unbridgeable? What is the relationship between “looking like” a rights-bearing subject and being one? What is the relationship between being a rights-bearing subject and being a citizen? Are there limits to this strategy? Is Jones perhaps too sanguine about the possibilities inherent in clothing oneself with the accoutrements of the law? After all, human history is littered with instances in which “looking like” a rights-bearing subject has not prevented dramatic and shocking losses of rights. Nowhere is this clearer than in the case of free blacks themselves, whose situation in many states, notwithstanding their attempts to “look like” rights-bearing subjects, worsened between the late eighteenth century and the Civil War. I raise such questions not because I doubt Jones’s insight, but because I want to believe it.

Birthright Citizens is an immensely readable book that makes a major contribution to the historiography of race, slavery, and American citizenship. As the foregoing suggests, it also raises fundamental questions about legal subjectivity, how it emerges, and how it can be sustained. It deserves a wide readership.

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Lucy E. Salyer, *Under the Starry Flag: How a Band of Irish Americans Joined the Fenian Revolt and Sparked a Crisis over Citizenship*, Cambridge and London: The Belknap Press of Harvard University Press, 2018. Pp. 328. \$29.95 hardcover (ISBN 9780674057630).
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Under the Starry Flag is a wonderfully rich account of truly consequential events in the history of American citizenship. It recounts the ill-fated attempt in 1867 of a group of Irish-American men to sail from the United States to Ireland in order to join a planned rebellion to free Ireland from British imperial