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Tonry, Michael (1996) *Malign Neglect: Race, Crime, and Punishment in America*. New York: Oxford Univ. Press.

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From Black Power to Prison Power: The Making of Jones v. North Carolina Prisoners' Labor Union. By Donald F. Tibbs. New York: Palgrave Macmillan, 2012. 260 pp. \$90.00 cloth.

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In his new book, *From Black Power to Prison Power*, Donald Tibbs achieves precisely what the field of law and society aims to do: demonstrate how a landmark, if largely overlooked, court decision emerges from the historical struggle for black liberation during the Black Power era, a conflict between an inexorable social movement and state power intent on preserving white people's five centuries-old despotic relationship to black people. Through Tibbs' legal history, we can glean how such a thing as a labor union for prisoners came to be in the first place, how the organizing which made it possible was neither anomalous nor exceptional but rather was the culmination of black struggle across the generations, and how the strategic decisions of prisoners and their supporters indicate what it means to exist within the crosshairs of state repression. While it may be unsurprising that the court ultimately decided against the prisoners (no spoiler alert needed), *From Black Power to Prison Power's* deconstruction of the court's reasoning in *Jones* illustrates a basic principle of law and society studies—that is, contradictions between power and jurisprudence betray the law's fundamental tyranny, especially where black people are concerned.

From Black Power to Prison Power is organized into three sections. In the first section, "Foundations," Tibbs establishes the historical context for the two main strands of political movement that would later come together to comprise the prisoner union movement. On the one hand, there was the struggle within prisons by inmates who sought to exploit the state's ambivalent policies, which, for a time, vacillated between rehabilitation and straight-up punishment. From the 1950s onward, collective action by prisoners, together

with individual lawsuits brought by select inmates, steadily carved out an enhanced realm of legal rights and due process claims for the incarcerated. As Tibbs demonstrates, this process was made possible by the increasingly radical organizing occurring outside prison walls, with the emergence of the Black Panther Party as the crucial development leading to the prisoner union movement. In section two, "Formations," Tibbs looks more closely at the connections between organizing inside prisons and inside the black community in the late 1960s. The incarceration of Huey Newton, one of the founders of the Black Panthers, the political maturation of George Jackson and his subsequent murder, the Marin County Courthouse shootout, the trial of Angela Davis, inmate strikes at Folsom, Soledad, and Attica prisons, and the legal cases of the Raleigh Two, the Charlotte Three, and the Wilmington Ten together represent for Tibbs one concerted movement, distinguished only spatially by the artifice of prison walls. One outcome of this process was the formation of prisoner unions across the country. On this score, Tibbs provides scholars of law and society a crucial insight that reverberates across the archives of black history: black struggle is united across time and space, from coast to coast, and serves as the condition to which the police power responds but ultimately fails. This assertion is no less true in the face of the unmitigated trail of legal defeats recorded in this book, and should stand as a reminder that actions today as seemingly disconnected as the 2011–2012 hunger strikes by inmates in California's Pelican Bay prison and across the Georgia state prison system are in fact part of the same unstoppable movement.

In the third section, "Litigations," Tibbs mines the legal path that was the inevitable collision course between inmates and the state following the formation of prisoner unions. *From Black Power to Prison Power* persuasively makes the argument that "there was a significant social history buttressing the legal history leading up to the *Jones* case" (197). With its decision in *Jones* to depart from the era's movement toward enhanced rights for criminal suspects and prisoners, the Supreme Court "set a dangerous precedent by lavishing unrestricted discretion into the hands of prison administrators" (195). Whereas the first two-thirds of the book documents the law's intrinsic limits as a venue for redressing black grievances—"law had proven inadequate"—at the end, Tibbs critiques the Court's reasoning in *Jones* as if antiblack violence has ever been anything but *unreasonable* (23). Nonetheless, Tibbs' account reveals how the case stands today as a bulwark behind which the state has authorized all manner of severely punitive carceral methods that have left the U.S. system of mass incarceration grossly out of step with international standards. The reader should not mistake the lesson in this book that the key to interrogating this

devastating state of affairs lies with a close reading of, *and political solidarity with*, the black freedom movement.

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The Quality of Government: The Political Economy of Corruption, Social Trust and Inequality in an International Comparative Perspective. By Bo Rothstein. Chicago: University of Chicago Press, 2011. 301 pp. \$80.00 cloth.

Reviewed by Ararat L. Osipian, Peabody College of Education, Vanderbilt University

The Quality of Government: The Political Economy of Corruption, Social Trust and Inequality in an International Comparative Perspective by Bo Rothstein suggests that a key feature of quality of government, based on a specific normative and behavioral criterion, is impartiality in the exercise of public authority. The author argues that democracy, which concerns access to government power, cannot be a sufficient criterion of quality of government because if the quality of government would be merely equated to democracy, the importance of the way power is exercised by government authorities would fall out of focus.

Rothstein does a good job of conceptualizing the quality of government. Through the review and criticism of several key works on the quality of governance, he derives the definition of the quality of government. The author also suggests that the quality of government cannot be defined solely as the absence of corruption. Rothstein concurs with Oscar Kurer (2005: 230) in stating that “corruption involves a holder of public office violating the impartiality principle in order to achieve private gain” (15). He builds his argument around the concept of impartiality, which is a truly contested concept, and suggests that the quality of government as impartiality can be measured.

The concept of self-interest as the moving force of the market-based economy is not as simple as the classics would envision it. Rothstein rightly points out that, “We should simply sell to and buy from anyone if the price is right, regardless of family background, ethnicity, or religion. However, the accepted norm in the private sphere is that we should not behave according to self-interest against our family (or clan) members or friends but should pursue what we, from some other-regarding notion, deem good for all

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