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## Review of *Inventing the Savage: The Social Construction of Native American Criminality* by Luana Ross

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**Inventing the Savage: The Social Construction of Native American Criminality.** Luana Ross. Austin: University of Texas Press, 1998. x+314 pp. Notes, bibliography, index. \$35.00 cloth (ISBN 0-292-77085-5), \$17.95 paper (ISBN 0-292-77084-7).

Despite the growing literature on Native American crime and delinquency, alcoholism and unemployment, and the social ills that plague both urban and reservation Indians, there is a true dearth of information on incarcerated American Indians. Yet Indians comprise disproportionately high percentages of prisoners in all state penal facilities and federal prisons as well. Several factors account for this dearth. First, conducting sociological or anthropological research among incarcerated individuals certainly poses challenges. Second, the presumption that Native Americans prefer not to be studied or analyzed may deter some from considering research on such topics. Third, there is so little literature on the subject of American Indian prisoners that even the scholarly community may not be aware that this is an important phenomenon whose enormous impact on the Indian community warrants intense study.

For this reason—among others—Ross's new book on incarcerated Native Americans is a welcome addition. Ross begins with an important presentation of the historical context in which American Indians began to be perceived as behaving outside the law and proceeds to trace the vacillating federal-state struggle for political control and jurisdiction over tribal peoples. Her discussion of retrocession—the withdrawal of federal control and its replacement by state jurisdiction—is a fine summary of the context in which tribal peoples in the mid-1900s began to face serious legal challenges in the courts of the non-Indians surrounding reservation boundaries. Ross's premise is that the legal management of Indian affairs is inherently unfair and biased towards Indians—that is, laws are differentially

applied based on race. Citing a 1980 *American Indian Journal* article by Russell Barsh, Ross states that "Indian reservations are the only places in the United States where the criminality of an act relies exclusively on the race of the offender and victim." The unfairness in this is, of course, the fact that tribes have never had any control over non-Indians on their own land, yet tribal matters are handled by state or federal courts. Only misdemeanors and minor infractions are considered suitable for tribal courts. Submission to state or federal authorities is like asking tribes to pick their own poison—neither option affords them the opportunity for real management of their own affairs.

The specifics of Ross's observations concerning Native American prisoners arise from her work among prisoners—especially women—in the Montana prison system, particularly the Women's Correctional Center. Like most Indian prisoners nationwide, female offenders are incarcerated largely for drug-and alcohol-related crimes, most often drug-dealing, prostitution, homicide, and lesser offenses generally associated with alcohol and drug use. Ross points out that women are more likely to receive prison sentences than males—who have a better chance of receiving probation—and are more likely to return to prison than men for parole violations. Her statistics demonstrate that women are disproportionately represented even among incarcerated Natives in the state of Montana.

The women who participated in this research differ from their male counterparts in important ways: they are more often the victims rather than the perpetrators of violence; they often are primary care givers; most have children for whom they have singular responsibility. The difficulties of developing effective custody arrangements are particularly painful for these women, for they know the bonds they establish with their own children will, in part, determine the extent to which the children lead successful, productive lives. This section of the book is exceptionally informative and poignant, for we know little about the effects of incarceration on mothers and children and therefore cannot develop more human structures to rehabilitate these women effectively. Women who begin their sentences when pregnant face especially difficult choices, having to negotiate surrender of their newborns to friends or relatives, who seldom live nearby or can support visitation between mother and child. Learning parenting skills in preparation for regaining custody upon release is especially difficult when separations between mother and child preclude establishing healthy, loving interaction patterns. Reunited families following prison face a special set of problems since the patterns of interaction among newly-released women

and their spouses and children remain fraught with peril. Often adding to their pain is their own victimization as inmates, subject as they are to abuse, severe controls, and at time sexual predation behind the walls. Female Indian prisoners are stereotypically expected to be passive; assertions of their needs or rights provoke perceptions of their being difficult, demanding, and unmanageable. Because these women, like most inmates, suffer from lack of self-esteem, abuse of their rights as prisoners is all too easy.

*Inventing the Savage* is an in-depth look at the history and the social and political context of life for female Indian prisoners. Rehabilitation seems often out of reach since educational opportunities for women are rare in prison settings. And because so few women's prisons provide industrial employment, women cannot gain the skills or education necessary to survive on the outside. The availability of psychological therapy is also severely limited, as I observed in *Indians in Prison: Incarcerated Native Americans in Nebraska* (1994), and Ross certainly affirms that Indian women have few opportunities to recover emotionally from the tremendous stresses that may have placed them behind the walls in the first place. Those who do wish to begin psychological recovery are faced with a lack of trained or sensitized personnel. Issues of lesbian relationships—common among any incarcerated female population—complicate interpersonal relationships and further diminish the establishment of trust between correctional officer and inmate.

Despite these enormous difficulties, Ross finds that “imprisoned Native women in Montana are unified by their culture, religious beliefs, and the struggle to remain Native.” Her book is probably the most substantial study and documentation of these struggles among Indian prisoners in the United States. It is an important and compelling work, documenting in one prison system the largely unexamined problems characteristic of all incarcerated indigenous peoples. Moreover, it is outstanding and illuminating in its thorough focus on the judicial as well as the personal and psychological experience of incarcerated Native women. And doing anything to resolve the problems this study documents must begin, of course, with a thorough analysis of the experiences these women encounter. Ross's book will wield tremendous influence on our understanding of these complex issues; it can also begin to inform what we, as a society, intend to do about them. **Elizabeth S. Grobsmith**, *Dean of the College of Letters, Arts and Sciences, University of Colorado at Colorado Springs*.