

H-Net Reviews

in the Humanities & Social Sciences

Christopher Waldrep. *Racial Violence on Trial: A Handbook with Cases, Laws, and Documents.* Santa Barbara, Calif.: ABC-CLIO, 2001. xiv + 311 pp. \$55.00 (library), ISBN 978-1-57607-244-8.

Lee Walzer. *Gay Rights On Trial: a Reference Handbook.* Santa Barbara, Calif.: ABC-CLIO, 2002. xvii + 323 pp. \$55.00 (cloth), ISBN 978-1-57607-254-7.

Charles L. Zelden. *Voting Rights on Trial: A Handbook With Cases, Laws, and Documents (On Trial).* Santa Barbara, Calif.: ABC-CLIO, 2002. xvii + 347 pp. \$55.00 (cloth), ISBN 978-1-57607-794-8.

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Controversy

Controversy “On Trial”

On the surface, these three handbooks examine diverse topics, dealing as they do with the extension of the right to vote, the protection of a racial minority, and the transformation of a sexual orientation into a movement. There is a connection, however: these three books are part of a larger series by ABC-CLIO that the publisher labels as “hot topic.” Other titles in the series will deal with issues ranging from pornography to religion and from constitutional change to waging war. In his series foreword, Charles L. Zelden, a professor of history at Nova Southeastern University and the editor of the “On Trial” series (and the author of *Voting Rights on Trial*), explains that the purpose of the series is to point out that “we as a people and a nation are ‘on trial’ as we struggle to cope with the contradictions, conflicts, and disparities within our society, politics, and culture” (p. vii).

These three texts all seek to address complex legal issues that have divided the nation, and to demonstrate how law and the courts have both shaped and reflected the nation’s attempt to deal with those issues. An unstated, but equally important goal, must also have been to draw students into a greater understanding of the work-

ings of the legislative and legal systems by promising them texts that focus on controversial topics. With varying success, and for varying reasons, these textbooks do just that.

Each book is organized in a similar manner. The first part of the text is a narrative in several chapters that includes some type of introduction, an historical overview of the topic, a look at some landmark cases, and the author’s perspectives on the controversy’s short-range and long-range impact. The second part of each book contains primary source documents, including such examples as court decisions (both majority and dissenting opinions), excerpts from laws, and even periodical articles gleaned from the past. This is followed by a wealth of reference material for students: lists of people/laws/definitions central to the study of the topic, a chronology of important events, a list of pertinent cases, and an annotated bibliography (although, in the case of *Gay Rights on Trial*, the annotations are somewhat subjective). All three books are thoroughly up-to-date; for instance, the volume on voting rights includes a lengthy section examining *Bush v. Gore*, 121 S. Ct. 525 (2000), and that on gay rights similarly gives a clear review of the recent Vermont Civil Union Law. Of course, events

continue to unfold and no printed matter can be completely current for long. As this review was being written, New York State's legislature added "sexual orientation" as a protected category under laws banning discrimination in employment, housing, credit, and public accommodations, and on December 17, 2002, Governor George Pataki immediately signed it into law. With that caveat, however, on the whole, each text appears to be extremely well organized, filled with information important if occasionally arcane, and a scholarly examination of a complex topic in a fairly slim volume.

One difference between the three texts is the level of the controversy addressed by the topic of the book. Zelden's text examining voting rights is least controversial and, perhaps, the most balanced of the three texts reviewed. To be sure, Zelden does a superior job of tracing the extension and protection of voting rights, but most readers will be at least familiar with the outline of the story and few indeed will be offended by its outcome. *Racial Violence On Trial*, by Christopher Waldrep, a professor of history at San Francisco State University, ought to be similarly inoffensive; few readers will expect to find legal precedent favoring such violence, although too many cases exist in which it was condoned. Lee Walzer's text on gay rights will probably raise the most eyebrows among its readers, which may well be the reaction he has in mind. The topic of gay rights most obviously fits the definition of "hot topic," and could easily foster some interesting debates among students around the nation. Walzer has written previously about the development of the gay and lesbian community in Israel and is a former vice president of the World Congress of Gay and Lesbian Jewish Organizations. One understands that he is making a case for gay rights, not merely explaining the movement to his readers; he does not mislead us, but perhaps he either is or seeks to be less objective than Zelden or Waldrep, who seem to engage the topics of their books in a more dispassionate way. An instructor assigning this as a text should keep that perspective in mind.

Of course, good teachers always use their texts as a jumping-off point for additional readings, student research, and classroom debate. Without that kind of leadership, it may be easy to miss some of the nuances that could be added to these three titles, and that might make them even better vehicles for instruction. As an example, some readers of Waldrep's book on racial violence might labor under the impression that many, if not most, white Southerners were racists, as the author marches

us through such examples as the injustices perpetrated against the Scottsboro Boys, Emmett Till, and Medgar Evers, on our way, finally, to Los Angeles and Rodney King. The informed classroom instructor might wish to include additional information, such as the admittedly rare examples of reverse violence where whites were the victims. For example, an examination of the beating of white truck driver Reginald Denny during the South Central LA riots that followed the Simi Valley court decision in 1992 could lead students to a broader understanding of the true complexity of racial violence in America. Walzer's book might be similarly strengthened, for example, by a deeper examination of the way the religious right has organized against gay rights and the arguments it has marshaled; students may find instructive the workings of such diverse groups as the Family Research Council and the radical Christian anti-gay organization known as GodHatesFags.com.

In many ways the most admirable section of each of these three texts is part 2, in which each author makes available to his reader (and to the instructor) a compilation of documents, definitions, and additional resources. Whereas each author's narrative does a solid job of outlining the controversy in question, a topic takes on a fuller life when the reader pores over a majority opinion by Justice Oliver Wendell Holmes or Chief Justice Charles Evans Hughes. One gains a greater depth of understanding of the use of legislation to support competing visions of justice when one reads the federal Defense of Marriage Act (1996) and then confronts, on the following page, the Vermont Civil Union Law (2000). Perhaps most important, all the authors do a fine job of bringing to light the little studied, but highly illuminating, cases that demonstrate the courts at both their best and their worst. It is in these primary sources that one comes closest to the original intent of our legislatures and courts, and it is here that one can feel closest to events and decisions of the past.

Well written and organized, these three books from the "On Trial" series are filled with information and opinions that should stimulate student interest and raise their level of understanding about racial violence, the rights of gays and lesbians, and the struggle to extend and protect voting rights. Used as part of classroom examinations of legislative and court systems that include additional resources, they should motivate students and instructors alike to delve deeply into controversies that are "on trial."

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