migration governance (Bilgic et al., 2020; Estrada-Tanck, 2013). The concerns she raises also match those of Behrman (2019) and Chimni (2009), confirming how the interests of states persistently triumph over the individual interests of those on the move, including refugees. Ogg's book furthermore complements the work of Estrada-Tanck who likewise explores the vulnerability and obligation to protect, in the case of undocumented migrants finding that "human security… may have the potential to act as a catalyst for the realization of human rights in the contemporary world" (Estrada-Tanck, 2013, p. 167).

In short, this book makes a deeply-thoughtful, wide-ranging, and highly readable contribution to both the scholarly discussion and practice of refugee and migration law, towards achieving a robust, restorative, and crucial enjoyment of protection, including though by no means limited to the state-centric concept of refuge.

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DOI: 10.1111/lasr.12657

Doodem and council fire: Anishinaabe governance through alliance. By Heidi Bohaker. Toronto: University of Toronto Press, 2020. 304 pp. $37.95 paperback

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Dr. Heidi Bohaker's book, *Doodem and Council Fire: Anishinaabe Governance through Alliance*, is a significant and important work on Indigenous legal traditions. It is difficult to fully capture the contributions to the body of scholarship made by this work because it certainly goes beyond a contemporary analysis of Anishinaabe law and history. As a legal scholar, and not an historian, there is much to be absorbed from Dr. Bohaker's impressive research. This work is broad enough to benefit a variety of audiences including legal advocates, historians, Indigenous studies scholars, and anyone seeking a more comprehensive understanding of European—Anishinaabe relations. Perhaps most striking about this book is its timing. This book catches the emerging global emphasis on the recognition, revival, and strengthening of uniquely Indigenous traditions.

The task before Dr. Bohaker, and any historian of Indigenous polities, is extremely difficult—how to accurately describe an Indigenous worldview, culture, legal traditional, political theory, that has existed outside the parameters of Western thought when the readership comes from that very same (foreign) tradition. But, she recognizes this problem and names it at the outset by stating that meaningful reconciliation, "will require coming to terms with both our shared histories and the separate ontologies that have informed our respective legal traditions and structures of government" (p. xx). This approach of re-examining historical facts long known and understood in light of a renewed appreciation of, and care for, Anishinaabe people drives the entirety of the book.

Throughout the book, Dr. Bohaker clearly pursues this task. The reader is regularly reminded to ask themselves—how did Anishinaabe communities view treaties and other interactions with Europenas? This question is the starting point for refreshing history. Dr. Bohaker does not suggest

that long documented historical facts are wrong, but offers a refreshed view of the narrative accompanying those historical facts. Of course, the word "refreshing" throws a double light by suggesting that a reconsidered narrative provides a new understanding while also furthering an equitable and just vision of the longstanding (and continuing) traditions of Anishinaabe sovereignty.

While using well-known sources and contextualizing them within traditional and contemporary understandings of Anishinaabe culture and law from Anishinaabe scholars, Dr. Bohaker makes new and meaningful contributions to the comprehension of Anishinaabe communities and ontology. Once that approach is accepted, everything previously understood as historical "fact" requires revisitation with these newfound instruments of understanding. The traditional effort to translate or map Indigenous concepts onto "near enough" Western concepts leaves the nuance and import of Anishinaabe existence on the cutting room floor. Dr. Bohaker attempts to reconstitute our understanding by rejecting the translation option and instead, she endeavors to provide a more full account of Anishinaabe governance grounded in Anishinaabe worldviews, thereby recapturing its full complexity.

A huge part of grounding that understanding in Anishinaabe worldviews comes from coordinating Anishinaabe stories, places, animals, with the doodem that originate therefrom. Governance is not separate from those stories and kinship relations—these are all interdependent and essential. This approach of situating Indigenous thought and legal theory within traditional storytelling is an approach employed by prominent Anishinaabe scholar and law professor, Matthew Fletcher in many of his recent works (Fletcher, 2017, 2020, 2022). Inclusive of the Anishinaabe worldview, Dr. Bohaker explores how doodem are intertwined with both self and community and alliance. Her work emphasizes this by regularly pointing out and tracking the usage of doodem illustrations on treaties and other documents. These are not just symbols of community identify or self-identification, they are much more than that and speak to the role of representation, alliance, and care-taking of land embedded in Anishinaabe being. Without a thoughtful examination of culture, tradition, and community, the relevance of doodem is completely missed.

Beyond her commentary on doodem, Dr. Bohaker's development of an Anishinaabe-based comprehension of the role of alliances is a primary contribution to the literature on Indigenous law and governance. The council fire is an instrumental component of Anishinaabe governance and law. Anishinaabe governance is inherently complex and multilayered with alliances playing a central role in shared operations. Dr. Bohaker's re-examination of the historical record exposes the errors in comprehension committed by various European agents. As a general matter, Anishinaabe peoples did not see the various land agreements and treaties as singular transactional efforts to negotiate one particular aspect of life or commerce. These actions to engage in discussions and memorialize those in writing was understood by Anishinaabe peoples as existing within their own legal and cultural traditions of alliance and the council fire. Very few Europeans took the opportunity and devoted the time to understand this point. For the most part, Europeans were unconcerned with the nuance implicit in Anishinaabe culture and law, which of course lead to misunderstandings and conflict.

For example, Dr. Bohaker looks at treaties signed by French officials and Anishinaabe leaders from within the confines of Anishinaabe thought. By looking at the role of council fires, alliances, and doodem, the text carefully demonstrates that treaties are not simply viewed as transactions of land or agreements regarding military alliances (as per a typical Western legal vision). Instead, through Anishinaabe perspective, these treaties are evidence of Anishinaabe alliance with Europeans and an attempt to incorporate them into their pre-existing political and legal understanding of the world. In particular, Dr. Bohaker closely follows the history of one particular council fire: Credit River, which serves as a granular discussion of history, European relations, Anishinaabe kinship, and governance from the perspective of Anishinaabe peoples.

Dr. Bohaker's books succeeds in trying to unravel the errors committed in translating Anishinaabe culture into purely Western concepts. She does so by carefully re-evaluating the historical understanding and calling into questions longstanding narratives accompanying the factual record. A new narrative emerges. One that is harmonized with Anishinaabe culture, law, and worldview.

https://doi.org/10.1111/lasr.12657 Published online by Cambridge University Press

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DOI: 10.1111/lasr.12658

The ex post facto clause: its history and role in a punitive society. By Wayne A. Logan. New York: Oxford University Press, 2022. 312 pp. $39.95 hardcover

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The Ex Post Facto Clause of the U.S. Constitution prohibits the passage of laws retroactively punishing previously legal activity. It has received limited scholarly attention as one of the document's seemingly less controversial provisions, but in *The* Ex Post Facto *Clause*, Wayne Logan shows that it has had a contested jurisprudential history and argues that it can—and should—play a role constraining the punitiveness driving criminal lawmaking today. The book's comprehensive history and analysis of the underexamined clause's untapped potential to check the punitive drives that have besieged American lawmaking is a valuable contribution to literatures on American constitutional and criminal law.

Logan's thesis is corroborated in eight chapters. Chapters 1 through 5 survey the history of ex post facto jurisprudence. Chapter 1 assesses Founding Era debates over the clause's meaning while Chapter 2 details the Court's first ruling related to it in *Calder v. Bull* (1798). Logan uses these chapters to contend that limiting ex post facto coverage to criminal laws, but not civil laws, was ill-advised and inconsistent with Founding Era intentions while setting the stage for his multifaceted critique of *Calder*. The third chapter explores the Supreme Court's robust invocation of the clause in the nineteenth century following the Civil War. Logan shows how the Court often invalidated civil laws and statutes retroactively imposing non-carceral sanctions on Confederate sympathizers on ex post facto grounds by interpreting "punishment" broadly. Chapter 4 is an exceptional survey of case law from the late nineteenth century to 1990 tracing how the Court gradually constricted its interpretation of the clause, such as by creating exceptions for "procedural" laws and narrowing what constituted "punishment." Chapter 5 details the uncritical scrutiny afforded to ex post facto claims by the Court since 1990, especially those involving laws targeting sex offenders for retroactive sanctions through community registration and notification.

Chapters 6 and 7 discuss reform. Chapter 6 critiques the "punishment question" in ex post facto challenges. The test first requires the Court to resolve whether a legislature had punitive intentions when writing the challenged law. If civil rather than punitive intent is found, the petitioners must then provide the "clearest proof" that the law has such punitive effects that it merits ex post facto review anyway. This high bar regularly allows punitive retroactive laws to hide behind a civil designation to survive constitutional scrutiny. Logan proposes an alternative test requiring judges to examine legislative records for a legislature's punitive motivations, interpret what constitutes "punishment" broadly beyond criminal sanctions, and add a "rebuttable presumption that the law is punitive, imposing on the government the burden to negate the presumption," an idea borrowed from contracts clause jurisprudence (p. 143). In Chapter 7, Logan argues for extending the clause's coverage to civil laws, which he claims comports with Founding Era interpretations and should please constitutional originalists. He also defends expanding the clause's application beyond statutes to actions of executive agencies and other state actors exercising punishment powers. Chapter 8