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Tera Eva Agyepong. The Criminalization of Black Children: Race, Gender, and Delinquency in Chicago's Juvenile Justice System, 1899—1945.

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In 1935, Davis accepted a professorship in anthropology at Dillard University in New Orleans. At Dillard, he tried valiantly, but with little success, to get funding for comparative studies. In 1939, Davis enrolled in the Ph.D. program in anthropology at the University of Chicago, where he was welcomed by his early mentor Warner.

Varel provides ample evidence that Davis shrewdly took advantage of the few options available to black scholars. In 1942, he was appointed to the faculty at the University of Chicago after an influential southern philanthropist who initially objected to the appointment agreed to fund Davis's salary in the Department of Education for a three-year period. From his post at the University of Chicago, Davis became a vocal spokesperson against the use of intelligence tests of the period in the schools. In the 1950s the NAACP plaintiffs in the landmark case of *Brown vs. Board of Education of Topeka* (1954) cited the scholarship of Davis in their pleadings. Varel shares that Davis would have preferred a more broad-based challenge to racial segregation, rather than the NAACP arguments that emphasized "damage to black youth," but understanding the legal and political strategy, Davis signed the amicus brief (203).

Allison Davis was a talented intellectual who thoughtfully maneuvered within the parameters of mid-century American social science. Just as writers like Langston Hughes and Ralph Ellison often found it necessary to cultivate the goodwill and largess of white patrons, Davis did so as well. The institutional support available to white scholars in universities was nonexistent for black intellectuals. To his credit, Varel has mined neglected archival sources and provided a useful representation of how a serious scholar navigated, with considerable success, the turbulent waters of race and scholarship in mid-century America.

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TERA EVA AGYEONG. *The Criminalization of Black Children: Race, Gender, and Delinquency in Chicago's Juvenile Justice System, 1899–1945*. (Justice, Power, and Politics.) Chapel Hill: University of North Carolina Press, 2018. Pp. xiii, 180. Cloth \$90.00, paper \$24.95.

Tera Eva Agyepong's *The Criminalization of Black Children: Race, Gender, and Delinquency in Chicago's Juvenile Justice System, 1899–1945* traces the emergence of the juvenile justice system in Chicago, Illinois, which she identifies as the epicenter of innovation in dealing with wayward and troublesome children, many of whom were just simply poor and without a means of survival. Unlike the punitive approaches used with children in the nineteenth century, Progressives advocated for a system rooted in the reha-

bitative ideal (the notion that children were inherently innocent and entitled to a justice system separate from adults) in the early twentieth century. The establishment of the Cook County Juvenile Court in 1899 signaled the success of this new ideological movement, leading to the first juvenile justice system separate from that of adults. In examining the shift from rehabilitation to a more punitive, retributive approach in dealing with children of color, she finds that the process of criminalization and racialization did not occur primarily in the post–World War II era, as many scholars argue. Rather, it took place decades earlier and was the result of the juvenile court's attempt to clamp down on what it identified as a racial, criminal, and sexual menace: the increasing numbers of delinquent boys and girls of color.

As Agyepong argues, the discourse of rehabilitation in dealing with children who ended up in the juvenile justice system, either because of dependency or delinquency—that is, lacking support or having transgressed social norms, respectively—did not emerge with black children in mind. The intended beneficiaries, even if not consistently and explicitly stated, were white, native-born, or European immigrant youths. These understandings of juvenile justice, she demonstrates, shaped the ways in which practitioners—social workers, juvenile court judges, social scientists, and psychologists, among others—formulated an inherently racialized ideal of childhood and childhood innocence. As the numbers of African American children increased in Chicago (as a result of the Great Migration), and as the rolls of black dependents and delinquents increased as well, state officials transitioned from rehabilitative ideals to punitive practices. Agyepong's research proves that, spurred by increasing demographics as a result of increased migration, white officials in Chicago became increasingly resistant to the needs of black children.

Agyepong's study draws on highly coveted but difficult-to-access juvenile court records, specifically from Chicago's Cook County, which have been out of reach since 1987. Fortunately, a mentor made it possible for her to access those materials, which are significant in excavating insights into the inner workings and power dynamics of what was a highly discretionary justice system, in which judges, almost always males, except in cases where girls appeared, decided the best interests of the child. Agyepong also incorporates documents from black women's clubs, religious organizations, and civil rights groups as well as censuses, directories, and newspaper accounts, among other materials, to examine and analyze how community members worked feverishly to build viable alternative institutions for black children and to counteract negative views of African American children in the popular media. In addition, Agyepong uses literature from the social sciences, from psychiatrists, and from medical practitioners, delving into their views on children, race,

and delinquency. While she notes that all these sources are useful in understanding the context in which the views about the youths emerged, we know less about how the youths' and their families' viewed and understood their experiences. Their voices, she finds, are muted and filtered in the source material, a challenge most scholars of childhood studies, especially of poor, racial minorities, often face. Agyepong successfully overcomes those challenges, however, as she renders a vivid portrait of the children incarcerated in an increasingly harsh and inhumane system.

The Criminalization of Black Children brings significant insights to the fields of juvenile justice, childhood studies, and African American history. While scholars have examined and analyzed the experiences of white, native-born, and European immigrant children in the juvenile courts, we know much less about how children of color, including African Americans, Mexican Americans, Asian Americans, and Native Americans, fared before in those same tribunals. The few works that are available have begun to explore the intersections of race, gender, class, and sexuality, among other themes, but have yet to examine how ideas about childhood and rehabilitation shifted over time, especially as demographic trends changed as well. As Agyepong argues successfully, we have even fewer studies on females or girls of color in the juvenile justice system. Historically, they have been neglected in institutional settings as well as by scholars examining the historical trajectories of African Americans in the juvenile and criminal justice system. Those studies are still wanting. Given the state of the field, Agyepong's book is a much-needed corrective to the scholarship.

My only quibble with the book is the need for a broader understanding of the ways the juvenile justice system in Chicago compared to that of other jurisdictions in Illinois or those across the country. Placing the study in a larger framework might have allowed for some interesting points of comparison, intersection, and divergence. Nevertheless, the book is an important point of departure for comprehending how race, class, gender, and sexuality influenced the nature of the juvenile justice system and how it operated in different locales across the United States.

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JENNIFER E. ROTHMAN. *The Right of Publicity: Privacy Reimagined for a Public World*. Cambridge, Mass.: Harvard University Press, 2018. Pp. 240. Cloth \$39.95.

About a decade ago, General Motors ran an ad for the GMC Terrain featuring a buff and bare-chested Albert Einstein wearing low-rise jeans, a hint of tight underwear, and a come-hither look. "Ideas are sexy too," the copy read. Einstein was looking pretty good for having died in 1955. Hebrew University thought so. It owned

the rights to Albert Einstein's identity—rights valued at \$18 million annually—and it sued GM for usurping Einstein's and, therefore, its right of publicity.

Jennifer E. Rothman starts her book *The Right of Publicity: Privacy Reimagined for a Public World* with the suggestion that privacy may well be dead in our time of roving cell phone cameras and Facebook publishers. (That's debatable, given everything from growing concerns about data protection to what I have argued is the growing judicial acceptance of media-based privacy claims.) But then she offers a decided asterisk: the right of publicity is very much alive. And that's a problem, as the Einstein example shows. The right of publicity is an intellectual property right that allows individuals or their heirs to sue when someone uses their identity without permission. Therefore, it has significant power to suppress expression.

Rothman makes the right of publicity come alive in her book. She uses multiple illustrations, including older advertisements that show the early 1900s misuse of individuals' photographs (an ad for "The Flour of the Family," featuring an unsuspecting young woman's portrait as the flower/flour, for example; see 23) to the privacy-relevant technology that threatened that such a use of portraits could increase in troubling ways (a 1904 ad for a "detective" camera that promoted the surreptitious photographing of bathing beauties; see 14). The right of publicity has its roots in the right to privacy, Rothman argues, and these older examples and others help show that.

But recall that the right of publicity also helps makes companies richer? That's because, as Rothman explains, it blossomed in part when Hollywood studios wanted control—ownership, really—over the identities of its actors. If a studio owned a Hollywood star's identity, it could prevent other companies from using the star's image even when the star might not care. Such a right would be different in character from the more personal right to privacy: the right to privacy was not transferrable and, in effect, died with the individual, but the right of publicity could and would live on. Over the years, it has become a property right that can be transferred when the celebrity dies or otherwise, giving the rights holder an extended power to use the celebrity's identity—and, most importantly, to quash others' uses.

The book is filled with enough case examples that it could be used as a primer in law classes. That may make it a bit dense at points for the non-lawyer, especially when Rothman discusses what she considers the misleading use of dicta in court opinions by judges and scholars. But that sort of detail is helpful for attorneys and, in any event, the backstories are interesting and written in a way that should draw in any reader. Sports fans will appreciate the many illustrated right-of-publicity cases involving athletes, be they parties or subjects of litigation. And law professors will cringe as Rothman describes the way that courts and scholars