The Butterfly Collector

By Fred McGavran

Black Lawrence Press, Brooklyn, NY, 2009. 191 pages, $16.00.

Reviewed by JoAnn Baca

Sometimes lawyers *really* can write. Of course, most lawyers are adept at crafting pleadings, briefs, memoranda of law, contracts, wills, and the plethora of other legal documents that keep the wheels of civil and criminal justice spinning. Few, however, transform themselves from writers of the arcane, unadorned language of the law into authors of fiction that both frightens and stirs as well as Fred McGavran's *The Butterfly Collector*.

The Butterfly Collector is a collection of short fiction previously published in a variety of printed and online literary magazines. It offers readers 15 absorbing tales about characters as varied as a real estate agent, a beautician, an Episcopal priest, and, yes, a lawyer or two. Some of the stories take place almost entirely within a protagonist's dementia-fractured mind, some qualify as horror stories, some are ruminations on self-deception, and others almost defy description as flights of rare or quirky fantasy. The stories in this collection are unified, however, by writing of often poignant lyricism.

McGavran has a keen observer's eye for the foibles and dilemmas faced by those who have trudged or danced through unexamined lives, only to bump up against something that finally causes them to blink. Yet the stories do not devolve into mere reflections of middle-age ennui. Rather, they poke and discomfit the protagonists—and thereby the reader—with wry wit, piercing insight, and whimsical observation.

In the lives-of-quiet-desperation category, we meet "The Historian," a man so involved in his research and writings about ancient Rome that he misses some important hints about his wife's welfare. In one of the most deeply moving stories, "The Beautician," McGavran offers a seemingly simple tale about the kindly Cookie, who gets a call to do hair and makeup for a patient in a hospital's intensive care unit. As the tale unfolds, we learn the essential truth of Cookie's observation that "[w]hat we cover up is so much more important than what other people see." In "The Forgiveness of Edwin Watkins," a story about a judge whose heart literally and figuratively is the subject of the plot, McGavran almost offhandedly provides this nugget of an observation that is dead-on: "No trumpeter for the mighty or diagnostician for the dying is watched as closely as a federal judge's clerk on sentencing day." Even at his most macabre, as in "The Deer," McGavran can make the reader smile, if uncomfortably, with droll commentary such as, "Hunting accidents are difficult to explain when the intended prey kills a bystander."

McGavran's easy-to-digest writing style is disarming, yet deceptively so, for he can turn or twist a phrase with wicked delight. In "A Gracious Voice," McGavran displays his ability for effective character evocation with a wit that draws a drop of blood: "As a senior partner, he had reached the stage where he could criticize another lawyer's case, but no longer put together a good one himself." In "The Annunciation of Charles Spears," McGavran succinctly captures the eponymous character in one sentence: "Stooped, graying, Charles Spears had that tired, strained, tormented look that Episcopalians value in their clergy."

Not every story hits the mark. There are occasional misses when a story, such as "A Gracious Voice," gets tangled in dense, apparently unnecessary plot convolutions. Paradoxically, it is the few stories that focus on the legal profession that suffer the most from this sin. Yet this should not dissuade anyone from reading *The Butterfly Collector*, for even the stories that do not take flight suffer only in comparison to other stories in the collection that simply soar.

McGavran's discerning portraits might all be viewed as metaphors for what falls away and what remains or what cannot be ignored and what we fear to see. He was an attorney and member of the Federal Bar Association for more than three decades, is a past president of the Cincinnati Chapter, and served on the association's Executive Committee for several years. One wonders, however, if he also moonlighted as an undercover psychologist, took a turn as Oberon's Puck, or was visited by the spirit of Edgar Allan Poe, for the sublime substance and confident style with which he crafts his short stories are an insightful amazement and an eerie delight. **TFL**

JoAnn Baca is retired from a career with the Federal Maritime Commission. Her husband, Lawrence Baca, is the immediate past president of the Federal Bar Association.

Virtual Justice: The New Laws of Online Worlds

By Greg Lastowka

Yale University Press, New Haven, CT, 2010. 196 pages, $27.50.

Reviewed by Heidi Boghosian

Rare is the book that so artfully animates, engages, and provokes the creative and legal imagination as does *Virtual Justice: The New Laws of Online Worlds*. Starting with an examination of how computer technology is creating new places for social interaction, Greg Lastowka analogizes social and legal ordering to three different kinds of castles. The massive stone Welsh Cardiff Castle, Disney World's corporate theme park fantasy Cinderella Castle, and the Dagger Isle Castle in the imaginary online world of Britannia all "serve to introduce some basic observations about power, technology, artifice, and law." This creative foray establishes the pioneering tone for an important, understated, and—simply put—quite marvelous book.

Virtual worlds are online communities through which multiple com-

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puter users interact or role-play with one another in fantasy environments. Lastowka explains that virtual worlds share features with precursor digital games, such as the 1960s' Spacewar, in which, as Lastowska explains, "each competitor controlled a spaceship. ... The players navigated the ships on a flat plane around a central sun (with simulated gravity) and attempted to destroy each other with missiles." Spacewar became extremely popular because it enabled people to compete with one another within a computer simulation. In the 1970s, a computer programmer created Colossal Cave Adventure, or ADVENT for short, which was a computer game in which the player acquired possessions and followed instructions in order to move around different places in the cave.

Virtual worlds are similar to ADVENT in that "[t]hey simulate going to new places, solving problems, acquiring treasures, and trying to stay alive." Users appear as avatars, which are computer-generated graphic representations of a person or creature, or, as Lastowka calls them, "digital alter egos that both embody and enable users within the simulated space." Avatars inhabit and interact with other avatars in simulated environments. Some virtual worlds imitate real life, allowing users to buy property and furnish their "homes," and some are fantasies involving non-earthlike creatures. The avatar's appearance may itself become strategic, especially in fantasy games, in which an avatar can, for example, assume a gender that is different than its owner's. Or, in World of Warcraft, which is a "massively multiplayer online role-playing game" (MMORPG), the appearance of an avatar's body lets players know whether the avatar is a friend or an enemy. As the most-subscribed MMORPG in the world, World of Warcraft has more than 12 million subscribers and more than 60 percent of the MMORPG market. As Lastowka points out, "[t]he most compelling element of virtual worlds, it turns out, is not the powerful graphic technologies they employ but the very real social interactions that occur through that technology."

In *Virtual Justice*, Lastowka explicates how real-world laws have thus far been applied to, and are adapting to, the problems that arise from virtual world interactions. Lastowka is highly competent to write on the subject. A professor at Rutgers School of Law in Camden, N.J., he speaks and writes frequently on the subject of Internet law, and his research emphasizes the intersection of intellectual property and new technology. He served as defense co-counsel in *Intel v. Hamidi*, 71 P.3d 296 (2003), in which the Supreme Court of California declined to extend common-law claims of trespassing to the computer context, absent actual damage.

Owners of virtual games require game users to abide by terms of use agreements in order to play. Lastowka suggests that, governed by such agreements, virtual worlds have become their own jurisdictions:

> What those visiting virtual worlds will find, legally, is something that resembles a new feudal order, with a separate and different set of rules governing their rights and duties. Virtual sovereigns are minting their own currencies, crafting and drawing wealth from their own societies, fine-tuning their own economies, and casting out those who dare to flaunt their decrees. All of this suggests that virtual worlds are becoming, in essence, separate jurisdictions governed by separate rules.

In the area of property rights, even though courts have acknowledged the existence of legal interests in virtual property, other issues, such as inheritance rights, are less clear. Lastowka describes how, after U.S. Marine Lance Corporal Justin Ellsworth was killed in Iraq, his parents wanted to see e-mail messages that he had written to friends at home, because he had told his father that he planned to make a scrapbook of them. However, because he had not told his father his password to his free Yahoo! e-mail account, his father had to hire a lawyer and obtain a court order to obtain the e-mails from Yahoo!

In explaining the relationship between virtual worlds and laws enacted to address Internet technology, Lastowka notes that the rapid growth of the Internet has led to a consensus among lawyers and lawmakers that a new and specific body of legislation is needed. He explores virtual world law in the context of jurisdiction, noting that law in general "has been closely tied to spatial territory." Given that, what remedy did Qiu Chengwei, a Legend of Mir player, have when a virtual Dragon Saber he acquired through many hours of play, with a market value in China approximating nearly $1,000, was stolen? A friend had asked if his avatar could borrow the Dragon Saber from Qiu's avatar; after Qiu lent it to him, his friend sold it to another player for real-world money. After Chinese law enforcement refused to prosecute Qiu's friend for theft, Qiu killed his friend and then turned himself in to the authorities. Lastowka offers a policy argument for a legal recognition of virtual property: society is less violent when governments recognize and protect ownership rights to private property.

In addition to World of Warcraft and Legend of Mir, another kind of virtual world is the social world, where users do not compete to win games. In Second Life, for example, user "residents" socialize and participate in group activities and also create and trade virtual property and services. Under the Second Life terms of use agreements, users retain copyright for any content they create, and the server and clients provide simple digital-rights management functions. In the first real-world lawsuit involving virtual property, *Bragg v. Linden Research Inc.*, 487 F. Supp. 2d 593 (E.D. Penn. 2007), a dispute arose over a Second Life land purchase. Linden Lab, the company that maintains Second Life, encourages users to make money from land transactions. Linden Lab banned the user, Marc Bragg, from Second Life and canceled his account, claiming that

he had used a method, forbidden by their terms of use agreement, to purchase, at auction, thousands of dollars' worth of virtual property that was not officially listed for public sale. As a result, Bragg lost access to land he bought as well as his other virtual property, which was valued at thousands of real-world dollars. The case was ultimately settled, with the terms confidential; the judge found that the dispute was real and that the game's terms of use agreement provided no real method for dispute resolution.

In most virtual worlds, the terms of use agreements require that content generated by users is either the property of, or is subject to, the licensed use of the game owners. Unlike many other virtual worlds, content in Second Life is generated mostly by users. The owner, Linden Lab, contractually requires that users permit the game to upload content and prohibit users from posting content that infringes on the company's copyright. But, unlike most other virtual-world owners, Linden Lab does allow users to benefit financially (in both the virtual and real worlds) from their creativity within Second Life. Lastowka writes, "When virtual worlds empower users with a wide range of creative freedom and encourage them to take economic ownership in their productions, those worlds are more likely to attract lawsuits from all directions. Large scale financial stakes and uncertain rules are a dangerous mixture." In fact, a class action suit filed in 2009 by Second Life creators claims that Second Life failed to protect user-generated intellectual property after someone had duplicated a plaintiff's creations and sold them at a discounted price elsewhere.

In *Virtual Justice*, Greg Lastowka estimates that at least 100 million people interact in virtual worlds on a weekly basis. He reports that analysts predict that number will likely double or triple in the next five or 10 years. The appeal of virtual worlds, he suggests, may lie in "the inherent ambiguity present in the virtual realm, where things can be and not be all at once. If we could clearly see and weigh the risks and rewards present in virtual worlds, clarifying the legal status of our interests in them, it might be that we would limit, for better or for worse, the sorts of pleasure they currently provide." This treasure of a book has a similar appeal in its forgoing to offer definite solutions to the legal questions raised by virtual worlds. Lastowka is not intractable in his theses, and he elicits the best in his readers by encouraging them to think critically. That the subject matter involves the terrain of the imagination is of great help as well. **TFL**

Heidi Boghosian is the executive director of the National Lawyers Guild.

Corporate Governance and the Business Life Cycle

Edited by Igor Filatotchev

Edward Elgar Publishing, Northampton, MA, 2010. 423 pages, $210.00.

Reviewed by Christopher Faille

Corporate governance is, by standard definition, the way in which a corporation protects the interests of its shareholders, bondholders, and other creditors. Corporate governance is both an economic and a legal issue, and is usually discussed as a matter of "agency theory." The question, in other words, is how can the managers of an enterprise best be kept loyal to their presumed task as the agents of investing principals?

"Life-cycle" theorists have a distinctive take on questions of corporate governance. They posit that a corporation develops through typical stages. In youth, it is the vehicle of an individual entrepreneur or his or her immediate family. Later, if it is successful, it acquires extensive resources and commitments, becoming too much for the founder and his kin to handle, and they are tempted to bring in professional managers, perhaps making a public offering of stock in order to cash in on their own equity in the process. Firms that have not yet gone public but that are of that scale and face the pressures that often lead to that move are referred to in the life-cycle literature as "threshold firms."

Once a corporation passes through that threshold and becomes a public firm, the corporation may settle into a "mature" period. Over the course of this phase it will exhaust its opportunities for growth in the focal industry, perhaps diversifying or over-diversifying.

Eventually, a mature firm enters a period of decline, perhaps because of "managerial rent-seeking opportunities." This, in other words, is the time when there is the greatest likelihood that managers will prove less-than-faithful agents to their principals, and performance will suffer. A firm in this state of decline may re-invigorate itself in a limited number of ways. One of these is the public-to-private buyout—in effect, a sort of corporate rebirth, beginning the cycle anew.

The editor of this volume, Igor Filatotchev, a professor of corporate governance and strategy at Cass Business School, City University, London, is one of the leading exponents of this school of thought. Among his contributions was a seminal paper—first presented to an Academy of Management meeting in New Orleans in 2004—titled "The firm's strategic dynamics and corporate governance life-cycle." Filatotchev co-authored this article with Steve Toms, of the University of York, and Mike Wright, of Nottingham University Business School. A re-working of that paper is offered here as chapter two.

Managers and Border Guards

Those not familiar with corporate governance theory in general might here ask a perfectly apposite question: What are "rent-seeking opportunities"? The word "rent" in this context has no necessary connection with real estate. It refers to any extraction of compensation from an individual or group with control over a bottleneck in a production process, usually with the implication that the benefit extracted involves no reciprocal benefits. A corrupt border guard asking for a bribe seeks "rent" of a sort—he expects a personal advantage for allowing another individual to make a crossing that, for whatever reason, the corrupt guard is in a position to

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permit or deny.

Rent-seeking behavior by managers, then, is one aspect of the agency problem in corporate law and economics. Leaving blatantly illegal or corrupt situations aside, a manager may be swayed more by a chance to get the big corner office and other intra-organization perks than by any devotion to the interests of the investors, or the manager may be honestly incapable of distinguishing between those two motivations. For many scholars of corporate governance, the purpose of a board of directors is precisely to check the potential rent-seeking behavior of managers. This is why, as Catherine M. Daily of Ohio State University and Dan Dalton of Indiana University observe in their contribution to this volume, there is widespread agreement in the literature that the best boards are those with a high proportion of outside directors.

But is there empirical data to support that theoretical consensus? Looking at the matter as an investor, if I can find two corporations that are congruent in all other relevant respects—for example, that have similar products in the same industry, are comparable in scale of production or intellectual property, and so forth—does the fact that one of these companies has a larger percentage of outsiders on its board give me a compelling reason to invest in that company rather than in its near twin?

Unfortunately for those who like their theories both neat and corroborated, the answer is no. As Daily and Dalton write: "[T]here is little empirical evidence that a preponderance of outside board members is associated with improved corporate performance."

Theory and Data

So what are the theorists missing? Perhaps they have been neglecting the life-cycle approach. Perhaps, specifically, the data have been skewed because corporations from distinct stages of the life cycle have been included in such empirical surveys.

One hypothesis, reconciling theory and data, might be that, during the mature phase of the life cycle of a corporation, it is most important to have a board of directors as a check on rent-seekers, but that a corporation still in its youth, crossing the threshold, seeks out directors for quite other reasons. Perhaps, furthermore, investors in those younger corporations should be happy with more inside bias on the boards on the whole, because they benefit from those other reasons.

A corporation may seek equity participation during the entrepreneurial stage, while the chief executive officer is the founder and dominant figure within the firm. At this time, members of the board of directors serve several functions: They offer advice and counsel, they offer channels for communication between the CEO and other organizations, and they even offer legitimacy— the very creation of a board shows the business world that this firm is following what is called, in another of the papers included here, "prevailing institutionalized norms."

Think of board members as channels of communication for a moment. When a manufacturer of aluminum widgets reaches the point where its aluminum purchases are sufficient to require that it look for bargains, it might want a board member with experience in the aluminum world. Further, investors should be happy about the fact that the widget manufacturer has an individual with industry contacts on its board. At this point, it is not necessarily of concern to investors that the new director is an "insider." By our hypothesis, the firm is still in its entrepreneurial stage, so the aluminum industry guy almost certainly comes from the founder's social network.

Why should investors not worry about rent-seeking at this stage? A superficial answer is that, according to the life-cycle theory, rent-seeking is the peculiar sin of professional managers—the folks who take over after the firm passes the threshold and gets into stage three. This isn't a very good answer, though.

A better answer—one that life-cycle theorists seem to appropriate from other older theories—is that a firm in its early stages doesn't yet have the amount of free cash flow that makes rent-seeking an especially grievous problem. Even the corrupt border guard of the above example probably is more interested in shaking down wealthy migrants than impoverished ones.

This book is a valuable collection of much of the research inspired in recent years by the life-cycle theory. I'm certain it will find a place on many library shelves in universities with law schools or fine economics departments. **TFL**

Christopher Faille, a member of the Connecticut bar since 1982, writes on a variety of financial issues, and is the co-author, with David O'Connor, of a user-friendly guide to Basic Economic Principles *(2000).*

The New Jim Crow: Mass Incarceration in the Age of Colorblindness

By Michelle Alexander

The New Press, New York, NY, 2010. 304 pages, $27.95.

Reviewed by Harvey Gee

In *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Michelle Alexander, a professor at the Ohio State University Moritz College of Law, offers a compelling thesis: a racial caste system exists in the United States because of harsh sentencing laws aimed at African-Americans, which lead to their mass incarceration. Although, unlike Jim Crow laws, these sentencing laws are not explicitly aimed at African-Americans, the mass incarceration of African-Americans, according to Alexander, is a systematic, racialized form of social control that is functionally similar to Jim Crow laws.

Alexander offers a frank discussion of the role of the criminal justice system in creating and perpetuating a hierarchical racial stratification scheme in the United States. Her

thesis flies in the face of the belief that African-American men are incarcerated largely because of poverty or poor choices. Alexander explains that, just as Jim Crow laws arose from the ashes of slavery, so our present criminal justice system has evolved from Jim Crow laws.

Much of *The New Jim Crow* is devoted to examples of how the criminal justice system has gone awry. Alexander reports that black men are imprisoned on drug charges at substantially higher rates than white men, despite their not using or selling illegal drugs at higher rates. This results in a significant percentage of young African-Americans in large cities having criminal records. Because of the stigma attached to these individuals, they are marginalized as a racial subcaste and become permanent second-class citizens.

Having felony records causes millions of African-Americans to face barriers in employment, housing, and education, and to be denied certain privileges of citizenship, such as voting and jury service. Alexander contends that, because of the mass incarceration of black people, the stigma of being a criminal that attaches to them is a racial stigma, whereas white criminals face a less onerous nonracial stigma. She argues that this conflation of blackness with crime, which is fostered by politicians and by propagandists for the war on drugs, perpetuates discrimination against blacks.

Moreover, the majority of people who are arrested are not serious criminals. Eighty percent of drug arrests between 1980 and 2000 were for minor nonviolent offenses.

Alexander concludes that the concept of colorblindness as public policy is flawed because it construes African-Americans and Hispanics as "raceless" people who are ill-equipped to function in society. She argues that "colorblindness prevents us from seeing the racial and structural divisions that persist in society." Prison incarceration is still characterized in race-neutral terms, even though it is clear that racial minorities, and not whites, are being incarcerated en masse.

Unfortunately, *The New Jim Crow*, like most contemporary treatments of criminal justice issues, treats race solely within the traditional black vs. white framework and does not study sentencing disparities among other groups. By contrast, in "Punishing the 'Model Minority': Asian-American Criminal Sentencing Outcomes in Federal District Courts" (published in 47 *Criminology* 1045 (2009)), Brian D. Johnson and Sara Betsinger present the first systematic investigation of disparities in the sentencing of Asian-Americans in federal courts. It shows that Asian-American offenders are punished similarly to white offenders for all offenses examined, with the exception of immigration offenses, for which Asian-Americans are punished more severely. In its 2008 Report to the Legislature, the California Administrative Office of the Courts states that Asian-Americans and whites had the lowest rates of arrest, and both groups were more likely than African-Americans and Hispanics to receive lighter sentences.

The New Jim Crow is a valuable addition to the continuing discussion of the need to reform the nation's criminal justice system. The author supports the claim that we are not living in a "post-racial" era after the election of the first African-American President in U.S. history. Until citizens and legislatures are willing to have a serious discussion about these issues and to enact effective legislation to address the racial disparities discussed in the book, the problems, unfortunately, will persist. **TFL**

Harvey Gee is an attorney in the capital habeas unit at the Office of the Federal Public Defender for the Western District of Pennsylvania. He was formerly a deputy state public defender in Colorado. He is the author of "Asian Americans and Criminal Law and Criminal Procedure: A Missing Chapter From the Race Jurisprudence Anthology," published in 2 Georgetown Journal of Law & Modern Critical Race Perspectives (2011).

Capital Punishment on Trial:* Furman v. Georgia *and the Death Penalty in Modern America

By David M. Oshinsky

University Press of Kansas, Lawrence, KS, 2010. 144 pages, $29.95 (cloth), $14.95 (paper).

Reviewed by Harvey Gee

In *Capital Punishment on Trial*, history professor and Pulitzer Prize-winning author David M. Oshinsky offers a neutral treatment of the history of the death penalty in this country and the U.S. Supreme Court's jurisprudence on capital punishment. Beginning with the first execution of a Colonist in the New World—that of Captain James Kendall of the Jamestown Colony of Virginia in 1608—Oshinsky takes the reader to the 21st century and is always sensitive to the role of race in the imposition of the death penalty, particularly in the South.

In the 1960s, the NAACP's Legal Defense Fund hired veteran civil rights lawyer Jack Greenberg and University of Pennsylvania law professor Anthony Amsterdam to plan an anti-death penalty offensive. Oshinsky is insightful in his discussions of the behind-the-scenes litigation strategies crafted by these and other death penalty attorneys. The U.S. Supreme Court eventually addressed the constitutionality of capital punishment in two fractured opinions in *Furman v. Georgia*, 408 U.S. 238 (1972), and *Gregg* v. *v. Georgia*, 428 U.S. 153 (1976). In *Furman*, the Court ruled that Georgia's and Texas' capital punishment statutes violated the Eighth Amendment's prohibition on cruel and unusual punishment. The decision resulted in a de facto moratorium on capital punishment throughout the nation.

States that used capital punishment objected strongly to *Furman*, and President Richard Nixon called on Congress to restore the federal death

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penalty. Oshinsky explains that, until the mid-1960s, Americans agreed for the most part with progressive notions of penology. But, after the race riots in Watts, Detroit, and Newark, public opinion swayed in support of tougher criminal laws, longer prison sentences, and a general crackdown on social disorder. Not surprisingly, Oshinsky says, 39 states enacted new death penalty laws in response to *Furman*.

Four years after *Furman*, the Court ruled in *Gregg* that state death penalty laws were constitutional if they provided for bifurcating trials between the guilt and sentencing phases, applying aggravating and mitigating factors to determine just punishment, and requiring consideration of "the particularized nature of the crime and the particularized characteristics of the individual defendant" as well as appellate review in which the court considers, among other things, whether the sentence was influenced by "passion, prejudice, or any other arbitrary factor."

Capital Punishment on Trial concludes by examining more recent Supreme Court death-penalty cases involving minors and the mentally ill, as well as the impact of international opinion on capital punishment in the United States. Oshinsky gracefully uses the personal tales of attorneys, victims, and death row inmates to create a thoroughly researched and well-written book that will serve as a firm foundation for a clearer understanding of the development of capital punishment litigation in this country. **TFL**

Harvey Gee is an attorney in the capital habeas unit at the Office of the Federal Public Defender for the Western District of Pennsylvania. He was formerly a deputy state public defender in Colorado. He is the author of "Asian Americans and Criminal Law and Criminal Procedure: A Missing Chapter From the Race Jurisprudence Anthology," published in 2 Georgetown Journal of Law & Modern Critical Race Perspectives (2011).

Bloodlands: Europe Between Hitler and Stalin

By Timothy Snyder

Basic Books, New York, NY, 2010. 524 pages, $29.95.

Reviewed by George W. Gowen

Although the Dachau and Bergen-Belsen concentration camps were located in Germany, the killing facilities of Auschwitz, Treblinka, and Belzec were in occupied Poland. The Europe of Timothy Snyder's *Bloodlands* "extends from central Poland to western Russia, through Ukraine, Belarus, and the Baltic States." Snyder writes of the millions of Jews, Poles, Ukrainians, and others whom Hitler and Stalin slaughtered in these "bloodlands." This holocaust was of such magnitude and horror that the civilized mind can little grasp the savagery it involved.

In the preface, Snyder writes:

> Mass killing in Europe is usually associated with the Holocaust, and the Holocaust with rapid industrial killing. The image is too simple and clean. ... Of the fourteen million civilians and prisoners of war killed in the bloodlands between 1933 and 1945, more than half died because they were denied food. ... The two largest mass killings after the Holocaust—Stalin's directed famines of the early 1930s and Hitler's starvation of Soviet prisoners of war in the early 1940s—involved this method of killing. ...
>
> After starvation came shooting, and then gassing. In Stalin's Great Terror of 1937–1938, nearly seven hundred thousand Soviet citizens were shot. The two hundred thousand or so Poles killed by the Germans and the Soviets during their joint occupation of Poland were shot. The more than three hundred thousand Belarusians and the comparable number of Poles executed in German "reprisals" were shot. The Jews killed in the Holocaust were about as likely to be shot as to be gassed.
>
> The sheer numbers of the victims can blunt our sense of the individuality of each one.

Later in the book, Snyder elaborates on this last point:

> Each record of death suggests, but cannot supply, a unique life. We must be able not only to reckon the number of deaths but to reckon with each victim as an individual. The one very large number that withstands scrutiny is that of the Holocaust, with its 5.7 million Jewish dead, 5.4 million of whom were killed by the Germans. But this number, like of all the others, must be seen not as 5.7 million, which is an abstraction few of us can grasp, but as 5.7 million *times one*.

The Diary of Anne Frank and the scene in Steven Spielberg's "Schindler's List" of a little red-coated girl among a somber crowd shuffling toward a concentration camp brings home the individuality of each victim better than any death count can.

For some, *Bloodlands* may serve as a refresher course on the start of World War II, the beginning of the Cold War, and the pivotal role of Poland as the first and last victim of Soviet-Nazi collaboration. In August 1939, Hitler sent von Ribbentrop to Moscow to meet with Molotov. As a result, Nazi Germany and the Soviet Union signed a nonaggression pact and a secret protocol, designating their respective "spheres of influence" within Eastern Europe, including the independent states of Finland, Estonia, Latvia, Lithuania, Poland, and Romania. On Sept. 1, 1939, Germany invaded Poland from the west, and Russia invaded Poland from the east on Sept. 17. Snyder writes, "Thanks to Stalin, Hitler was able, in occupied

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Angela Walker Woolridge
Gary Anthony Wright
Rebecca M. Wright
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Christine Sue Yun Sauer
Ryan Zagare
Jay Christopher Zainey Jr
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Poland, to undertake his policies of mass killings. In the twenty-one months that followed the joint German-Soviet invasion of Poland, the Germans and the Soviets would kill Polish civilians in comparable numbers for similar reasons, as each ally mastered its half of occupied Poland."

Beyond the scope of *Bloodlands* is the heroic history of remnants of the Polish army who escaped the Germans and the Soviets, made their way to England, and thereafter fought in the Battle of Britain, as well as in France, North Africa, and Italy. After World War II, the survivors who returned to the Soviet satellite state of Poland met an uncertain fate.

Ironically, in late 1944 and early 1945—toward the end of the war—with Germany in disarray and an uprising taking place in Warsaw, the invading Red Army hesitated just east of the Vistula River, betraying the Poles and allowing Warsaw again to be almost totally destroyed by the Germans and also bringing Stalin's ruthlessness to the attention of the Americans and the British. Snyder writes, "The ashes of Warsaw were still warm when the Cold War began." Although not mentioned by Snyder, it was the Poles, whose rebellion in the 1980s eventually led to the end of the Soviet Union's domination of the bloodlands.

Bloodlands is an uncomfortable read because of its subject matter—the chapter titles include "The Soviet Famines," "Class Terror," "The Economics of Apocalypse," "Final Solution," "Holocaust and Revenge," "The Nazi Death Factories," "Resistance and Incineration," and "Ethnic Cleansings." The book is well written and will be important to all who study the history of the middle third of the 20th century—years that were soaked in blood. **TFL**

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