

negative outcomes that shackle subaltern rights. Paradoxically, Kapur's own analysis suffers from the same short-circuit.

First, Kapur relentlessly details the suffering of legally and socially maligned sexual subalterns. While the cataloguing of harm befalling sexual subalterns serves Kapur's consciousness-raising goal, such a literary strategy ultimately reproduces the image of the voiceless victim. In failing to incorporate the first-person voices of subalterns, Kapur functions as a chronicler of sexual marginalization, implicitly constructing supposedly heterogeneous subalterns as homogenously mute. In other words, Kapur adopts the colonialist scientific gaze by treating sexual subalterns as objects to be analyzed and spoken for. Far from producing an inclusive conversation, Kapur narrates indigenous subaltern voices out of the script. Subalterns, therefore, become colonial victims par excellence, dependent upon Kapur's dominant voice.

Second, Kapur's unfettered promotion of postcolonial tropes like "hybridity," "cultural diversity," and "global resistance" smacks of capitalist buzzwords like "dispersive force," "product diversification," and "global marketplace." Indeed, as noted social theorist Slavoj Žižek articulates, "[p]erhaps the time has come to resuscitate the Marxian insight that Capital is the ultimate power of 'deterritorialization' which undermines every fixed social identity, and to conceive of 'late capitalism' as the epoch in which the traditional fixity of ideological positions (patriarchal authority, fixed sexual roles, etc.) becomes an obstacle to the unbridled commodification of everyday life" (SLAVOJ ŽIŽEK, *TARRYING WITH THE NEGATIVE: KANT, HEGEL, AND THE CRITIQUE OF IDEOLOGY* 216 (1993)).

Kapur's triumphant application of postcolonial feminist methodology is simultaneously her gravest failure, for the myopic focus on particular subalterns eclipses a consideration of the more universal forces of capitalism. While the aim of reframing cultural and legal discourses surrounding sexual subalterns retains importance, it requires a concurrent critique of capital; otherwise, subalterns are freed from the repression of culture and law only to find themselves enslaved by the structural forces of commodification. Capitalism, it might be said, ultimately renders us all subalterns. Perhaps, Kapur's proactive goal of championing subaltern rights cabins and silences the inclusive conversation she envisions by effectively greasing the wheels of *das Kapital*.

Affirmative Action Around the World: An Empirical Study. By Thomas Sowell. New Haven: Yale University Press, 2004. Pp. x, 256. Price: \$17.00 (Paperback). Reviewed by Monica C. Bell.

Renowned black economist Thomas Sowell's *Affirmative Action Around the World* is an extensively researched, accessibly written, and refreshingly comparative addition to the conservative canon. Though readers will quickly realize that Sowell is a vehement opponent of affirmative action, the ideas presented in this book deserve rigorous engagement by scholars of ethnic conflict and proponents of race-conscious policy. The book has two distinct

but interrelated purposes: First, Sowell wishes to “cut[] through the jungle of semantics” surrounding the affirmative action debate (p. x). Second, and more centrally, Sowell seeks to offer empirical data on the results of affirmative action internationally.

Despite Sowell’s efforts to focus specifically on affirmative action, this book is more valuably read as an exposition on the broader dynamics of ethnic conflict. Sowell argues convincingly that mishandled affirmative action policy can set the stage for ethnic tension. He does not, however, successfully confirm a direct causal link between affirmative action and such conflict. As a result, one often has the sense that he structured his research with a conclusion in mind.

Despite employing some traditional anti-affirmative action arguments, Sowell is unorthodox in his global case study of preferential policies. His chapter on India is especially persuasive, proposing that policies designed to benefit “untouchables” are underutilized because the neediest people lack sufficient resources to take such opportunities. Sowell, a libertarian, maintains: “[S]tatesmanlike political leaders would have to tell taxpayers the . . . unpalatable truth that more money is needed to cover complementary costs that the poorest simply cannot afford”(p. 52). Though Sowell remains true to his belief that self-discipline can overcome a “culture of indifference,” he acknowledges that a fundamental shortcoming of affirmative action is its inadequacy at remedying group inequalities. Sowell concludes that society must address inequality by equipping children with firmer educational and economic foundations. It is unfortunate that Sowell buries this and other nuanced points in middle chapters while boilerplate arguments are easily accessible in the introduction and conclusion.

In the chapter on Sri Lanka, Sowell compellingly differentiates social disparities from the politicization of those disparities. Although inequities existed between the Sinhalese and Tamil for decades, Sowell argues that only in the past fifty years have identity politics become a consequence of those disparities. Sowell ties the resultant inter-ethnic violence to preferential policy, but by his own admission, ethnic nationalism and political ambition appear to be the true sources of tension in Sri Lanka. Sowell specifically points to Sinhalese politician Solomon Bandaranaike as “[t]he key figure in the transformation of a general resentment against the old elite . . . into a specific program of preferential treatment” (p. 84-85). This begs the question of whether politicization of social disparity is generally detrimental, as Sowell implies, or if the motivation behind politicizing inequality is more important. If increased group identity had arisen from a Sinhala grassroots movement instead of Bandaranaike’s political aspirations, would there have been such negative repercussions? Alternately, would Sowell contend that it is better for unequal groups to preserve the status quo, blissfully disengaged from the political implications of and potential political solutions to their unfortunate societal station?

Although the book’s central thesis is that affirmative action engenders ethnic conflict, Sowell devotes substantial attention to conflict issues tangential to affirmative action. The most conspicuous example is the chapter

on Nigeria. Like most postcolonial African nations, Nigeria was created by imperialists without regard for ethnic group integrity. Accordingly, ethnic conflict has been an inescapable feature of post-independence Nigeria and, historically, political leaders have used patronage politics to favor their own ethnic group over others. To minimize cronyism, Nigeria's constitution states that the government should "reflect the federal character of the country," or be drawn from a diverse array of ethnic groups. Sowell avoids claiming that affirmative action is the impetus for ethnic conflict, arguing instead that deep-seated ethnic polarization spawned both the preferential policies and the violent inter-group clashes. While this characterization is compelling, the tenuous connection between Nigerian preferential policy and ongoing ethnic polarization lends little credence to his broader argument. The Nigeria case primarily functions to extend the "around the world" study beyond the United States and Asia.

Sowell occasionally frames data in misleading ways. For example, he claims that preferential policies create disincentives for preferred groups, citing a study of historically black colleges that found that African-American students planning post-graduate study felt little pressure to work hard because they believed desirable positions would be set aside for them (p. 14). Though Sowell never mentions the timing of the study within the text, the endnotes reveal that this data came from a book written in 1973 (p. 202). Even if it were true that young African-Americans held these views in the early 1970s, their confidence in affirmative action guarantees probably lessened after *Bakke* (1978), *Croson* (1989), *Adarand* (1995), and *Gratz* (2003), to mention just a few U.S. Supreme Court cases limiting the scope and application of preferential policies (*Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265 (1978); *Richmond v. J. A. Croson Co.*, 488 U.S. 469 (1989); *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200 (1995); *Gratz v. Bollinger*, 539 U.S. 244 (2003)). While these types of arguments add to the book's shock value, they leave much to be desired. Readers should be vigilant about the sources of Sowell's more extraordinary claims.

Ultimately, the greatest shortcoming of this book may be what was excluded from Sowell's analysis. First, there is no explanation of his reasons for selecting these particular countries for case studies. Why did he not elaborate on affirmative action policies in Britain, Canada, or Australia, fellow western common law countries with lively affirmative action debates? Second, there is little discussion of the relative value of different types of preferential policies. Though Sowell would likely oppose all forms of race preference as a matter of principle, a sophisticated argument differentiating between various forms of preferential policy would be more convincing to those who do not share his ideology. It might also be useful for Sowell to discuss the effects of educational affirmative action versus affirmative action in employment. Third—and most important—the book lacks a comprehensive discussion of alternatives to affirmative action and possible ramifications of other options. Though Sowell initially proposes a systemic approach in the thought-provoking chapter on India, by the final chapter he merely suggests a "social process" in which groups improve themselves over time (p. 193-94). It

is unclear what took place between Chapters Two and Seven to alter his outlook.

Affirmative Action Around the World is recommended, with reservations, to readers seeking a novel perspective from the right on the origins and dynamics of ethnic conflict. Though Sowell attempts to show causation between affirmative action and devastating ethnic and racial tension in India, Malaysia, Sri Lanka, Nigeria, and the United States, he succeeds only in implicating preferential policy as one of many factors affecting inter-group hostility. He introduces a wealth of empirical data to the affirmative action debate, but his analysis sometimes leads to dubious conclusions. Sowell does not fully meet his goal of cutting through the semantics, if only because he is so instinctively dismissive of all affirmative action policy. *Affirmative Action Around the World*, though stimulating, is ultimately less rewarding than it could have been had Sowell subjected his own preconceptions to rigorous analysis.