

# THE FEDERAL LAWYER

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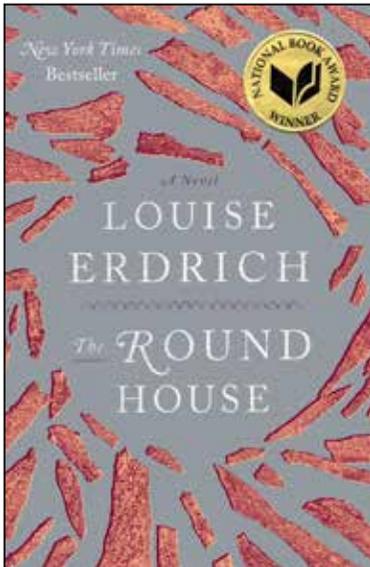
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### THE ROUND HOUSE

BY LOUISE ERDRICH

HarperCollins Publishers, New York, NY, 2012. 336 pages, \$27.99.

#### Reviewed by Elizabeth Kelley

When I saw that Amazon.com advertised that *The Round House* by Louise Erdrich was “[l]ikely to be dubbed the Native American *To Kill a Mockingbird*,” I knew I had to read it. Although *The Round House*’s plot is not as accessible and heartwarming as Harper Lee’s classic, its characters are every bit as complex, and its presentation of the underlying social and economic issues just as vivid. With good reason, *The Round House* spent weeks on the *New York Times*’ bestseller list and won the National Book Award for fiction in 2012.

*The Round House* is the story of Joe Coutts, a 13-year-old boy raised on a reservation in North Dakota during the 1980s. His father is a tribal judge. The book opens with a brutal attack on Joe’s mother. Like many survivors of sexual assault, she retreats into silence and solitude while her husband and son feel powerless to bring back the woman they once knew.

Judge Coutts fumes that someone would violate his wife in this way, but he also is haunted by the possibility that some disaf-

ected litigant who appeared before him exercised this sick sort of revenge. For his part, Joe feels awkward around his mother because of the nature of the attack, yet at the same time, remains a kid still in need of a mother. Both father and son redirect their emotions and embark upon an investigation to find the perpetrator.

Erdrich’s portrayal of the psyche of an adolescent boy—with all his insecurities and fantasies—is sensitive and compelling. So too are her portrayals of the menagerie of characters who surround Joe. Indeed, no character and no relationship in *The Round House* is simple. The characters include the ex-Marine turned reservation priest, Father Travis; Joe’s aunt Sonja, the former stripper who mothers him but also remains the object of his teenage fantasies; and Linda, the white woman abandoned by her birth family because they thought she was “retarded” and who was raised by a reservation family.

Lawyers should be particularly interested in *The Round House* because it grapples with a couple of important areas of Indian Law. The first is the Indian Child Welfare Act. This statute was passed by Congress in 1978 in order to preserve Native American culture. Specifically, it was enacted in response to the high number of American Indian children who were taken away from their families by public and private agencies. In *The Round House*, we meet characters who were in fact taken off a reservation and raised in state institutions.

Another issue that *The Round House* addresses—and indeed, this lies at the heart of the book—is sexual assaults on reservations, and in particular, the race of the perpetrators. I will not divulge the results of Joe’s and his father’s investigation, or how justice is finally administered. How all that unfolds is something you should experience for yourself. In an afterword, however, Erdrich writes:

This book is set in 1988, but the tangle of laws that hinder prosecution of rape cases on many reservations still exists. “Maze of Injustice,” a 2009 report by Amnesty International,

included the following statistics: 1 in 3 Native women will be raped in her lifetime (and that figure is certainly higher as Native women often do not report rape); 86 percent of rapes and sexual assaults upon Native women are perpetrated by non-Native men; few are prosecuted.

Louise Erdrich deserves the many awards she has received for her many novels. In particular, she is to be commended for bringing to mainstream attention the plight of contemporary Native Americans. *The Round House* proves that richly detailed fiction can effectively teach about culture, history, and politics. ☉

*Elizabeth Kelley is a criminal defense lawyer based in Spokane, Wash. She has a special commitment to representing individuals with mental illness and developmental or intellectual disabilities who are accused of crimes. She has served two terms on the board of the National Association of Criminal Defense Lawyers, has served as the chair of the Mental Health and Corrections Committees, and is currently the chair of the Membership Committee. She hosts two radio shows, Celebrity Court and Celebrity Court: Author Chats.*

### JUSTICE AND LEGAL CHANGE ON THE SHORES OF LAKE ERIE: A HISTORY OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO

EDITED BY PAUL FINKELMAN AND ROBERTA SUE ALEXANDER

Ohio University Press, Athens, OH, 2012. 374 pages, \$49.95.

#### Reviewed by Christopher C. Faille

“No State shall ... deny to any person within its jurisdiction the equal protection of the laws.” The state action requirement of the Equal Protection Clause of the Fourteenth Amendment has been central to the debates over the significance of