

Divided Sovereignties: Race, Nationhood, and Citizenship in Nineteenth-Century America

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In the autumn of 2014, Alabama, with the backing of 72 per cent of its voters, became the seventh state to ban Sharia law. In doing so, it joined Arizona, Kansas, Louisiana, South Dakota, Missouri, and Tennessee in banning 'foreign laws'. Since 2009, notes Liz Farmer, 'all but 16 states have considered such a measure'.⁽¹⁾ In the decade-and-a-half after the terrorist attacks on September 11, 2001, members of the Republican Party, the Tea Party Movement, and more recently, the so-called alt-Right, have called into question not only the loyalty of Muslims but have suggested, as evidenced in the banning of 'foreign laws', that the very sovereignty of the United States may be at stake. As Donald Trump rode this wave of Islamophobia, white backlash, racism and nativism to the White House, he was engaging in a long-standing tradition in American political thought. With his Muslim travel ban and plans to build a wall along the Mexican-U.S. border, President Trump implied that Mexican-Americans and Muslim-Americans amount to nations within the United States and could therefore undermine US sovereignty. This *imperium in imperio* (a state within a state) is an enduring convention in American political culture and, as Rochelle Raineri Zuck makes abundantly clear in *Divided Sovereignties*, has been both celebrated and feared. It has been used to justify the very founding of the United States as well as limit and control racialized populations in the 19th and early 20th centuries. And, as recent events have indicated, it continues to have a deep resonance in the current political imagination.

Divided Sovereignties traces the history of *imperium in imperio* across the 19th century. Zuck, who teaches

American literature, has produced a cultural and political history of a key concept in U.S. political thought. This book, however, is not a top-down political/intellectual history. Zuck, rooting her work in Foucauldian genealogy and Deleuze's conception of (de)territorialization, demonstrates how four groups racialized as non-white – Cherokees, African Americans, Irish and Chinese immigrants – mobilized *imperium in imperio*, 'to assert their national status so as to engage the United States on political rather than racial terms' (p. 4). Members of each group at various points conceived of themselves as separate states within the nation. Looking at both fiction and non-fiction, especially the constitutions drafted by the Cherokee nation, African colonization advocates and anti-slavery activists, the Fenian brotherhood, and the Chinese Six Companies in San Francisco, Zuck intends to move the study of the 19th century away from identity politics, with its essentializing effects, to the multifaceted rhetorical strategies and political engagements that make clear comparative differences but also similarities. In doing so, Zuck demonstrates how American nationhood in the 19th century was created and defined through multiple engagements over the meanings and uses of divided sovereignties.

Zuck begins by noting that sovereignty is a slippery concept that can be imbued with multiple meanings. In British common law sovereignty was absolute, bounded by territory, and could not be divided. A notion of a divided sovereignty emerged in the 18th century in Britain's American colonies as a way to intellectualize colonial resistance to British rule. In the late-colonial period divided sovereignty did not necessarily mean the dissolution of British control, however. Some believed that the colonists should have control of domestic matters, while leaving external affairs to the British Parliament. Others argued that in the context of the British Empire, American state power could reside under the authority of the Crown but be free from the control of Parliament. Having used *imperium in imperio* to justify their war of independence, the founders and writers of the Constitution attempted to head-off the problem of divided sovereignty by incorporating it into the very fabric of the nation. As Zuck makes clear, the process of ratifying the Constitution and ensuring a working division between the federal government and states made *imperium in imperio* a frequent point of comment, debate, and concern in the early republic. Both Hamilton and Madison were worried that this divided sovereignty would ultimately undermine the nation-making project. In the end, a firm belief that power resided not in the various branches of government but in the abstract idea of 'the people' meant that *imperium in imperio* came to be celebrated by both domestic and foreign observers alike. Divided sovereignty only became a problem when groups not counted as 'we the people' claimed status as nations within the United States.

Throughout *Divided Sovereignties* Zuck is interested in demonstrating the ways in which American governmental power employed *imperium in imperio* to territorialize, mark, and fix populations that challenged the white status quo. At the same, Zuck deftly makes clear how these marked populations mobilized divided sovereignty to stake their own political and national claims within the United States. Indigenous populations, of course, could rightfully claim territorial rights within the United States. But in focusing on the 1827 Cherokee Constitution and the process of Georgia's policy of Indian removal, Zuck suggests that removal was more than a question of racism. Frontier space was conceptualized not only in terms of racial conflict but was viewed as a multinational space in which contests over sovereignty and jurisdiction took place. These conflicts, Zuck argues, defined the protean United States in the first decades of the 19th century. In the 1820s and 1830s, the Cherokee, Georgia, and the federal government engaged each other on a state-to-state basis. The Cherokee argued that they were a nation and therefore must be negotiated with and the state and federal governments agreed that the Cherokee were indeed a nation and therefore required to be removed so as not have an *imperium in imperio*.

In many ways, the 1827 Cherokee Constitution operated as a foundational text for other groups in the United States. Turning her attention to colonization advocates, anti-slavery activists, and 19th-century African American writers, Zuck makes clear the ways in which both white and black Americans considered the possibility of a black nation within the United States in the 19th century. For many members of the African Colonization Society, the very notion that free African Americans should go to Africa as colonists suggested they were a 'virtual nation' within the United States that, like the Cherokee, should be removed to avoid problems of *imperium in imperio* (p. 71). White concerns over divided sovereignties fashioned free black

people as a political threat. In doing so, it provided African Americans with a key rhetorical construction to enter debates over sovereignty, citizenship, and their political status. If African Americans were a nation within a nation then their claims had to be taken more seriously. Zuck follows this rhetorical device through a diverse group of 19th-century Americans stretching from Denmark Vessey to Robert Alexander Young to David Walker, Frederick Douglass, Martin Delaney, and John Brown.

After looking at two of the founding peoples of the United States, Zuck turns her attention to two immigrant groups who arrived in greater numbers in the second half of the 19th century: Irish Catholics and Chinese migrant laborers. While the first three chapters of *Divided Sovereignties* work well, Zuck's argument gets somewhat muddled examining the place of the Fenians and the Irish Republic of America. The key elements of Zuck's thesis are here: Irish Catholics, who were racialized as not quite white but eligible for naturalization, were troubling due to the belief that they could simultaneously be under the sovereignty of the British Crown, the Pope, the American Government, and their own claims to nationhood as a future Irish republic. When Fenians raided Canada, or were arrested in Ireland, this complicated matrix of *imperium in imperio* pressured the United States to declare its sovereignty was not limited by territory but followed its citizens abroad. Given the complicated and multi-layered nature of Fenian claims to sovereignty, one wishes Zuck had drawn these intersections out by focusing and expanding her reading of federal-level discourse on the Fenians and diplomatic communications between the United States and the British Empire.

Zuck's examinations of the Fenians' extraterritorial sovereignty claims sets up her revisionist take on Chinese exclusion at the end of the 19th century. San Francisco's Six Companies, a cross between a clan, a district association, and a benevolent organization, raised a fundamental question regarding US sovereignty: if this sovereignty followed Americans abroad could it then also allow foreigners' sovereignty to be brought to the United States? As Chinese immigrants were not eligible for citizenship, they remained subjects of the Chinese emperor. As Zuck makes clear, the 1844 Treaty of Wanghia stipulated that US nationals in China remained under the sovereignty of the United States and not the laws of China. The 1868 Burlingame Treaty further refined the extraterritorial sovereignty of both US and Chinese citizens. For Zuck, then, the apparent threat of Chinese migrants in California was not only framed by race and labour but was viewed through the lens of *imperium in imperio*. Within the framework of divided sovereignty, Americans on the West Coast performed various conceptual and legal gymnastics concerning Chinese migrants. They were fearful that the Six Companies were conducting secret extrajudicial tribunals, and that Chinese immigrants were not making efforts to Americanize and were clustering in segregated Chinatowns. Of course, the Chinese population in the US could not legally become citizens nor were they subject to American law according to negotiated international treaties. Given this logic, by the 1870s many in Congress believed that there were only two options to stop Chinese imperial outposts in the United States: either allow Chinese immigrants to be naturalized as citizens or exclude them. As we know, in 1882 the United States chose the latter path. In a major contribution to the historiography, Zuck makes a convincing argument that Chinese exclusion laws were not only about racially defining citizenship and labor politics, as Erika Lee and others have argued, but were partially centered on fears of foreign sovereignties operating within the United States.⁽²⁾

Divided Sovereignties is a far-reaching monograph that connects with multiple historiographies, methods, and theory to reinterpret the meaning and uses of sovereignty across the 19th-century United States. Zuck would like to have us believe that that the federal system of the United States makes the nation 'uniquely characterized by the division of sovereignty' and 'also uniquely vulnerable to unexpected divisions' (p. 3). The United States' federal system while distinct is not necessarily unique nor is the problem of *imperium in imperio* exclusive to the United States. Indeed, it would seem that all white-settler societies typically territorialized, marked, and removed indigenous populations and those indigenous populations often mobilized the language of nationhood to engage with colonizers on nation-to-nation basis. Given that Canada appears briefly in terms of Fenian invasions, one wishes Zuck had cast her scope more broadly. Confederated in a federal system in 1867, Canadian political and clerical writers engaged in a similar language of *imperium in imperio* when it came to indigenous nations as well as the ongoing tension of Québécois power and nationhood in Lower Canada.⁽³⁾ This absence is also somewhat peculiar given that Zuck wants to put *imperium in imperio* within a transnational context (p. 6). Moreover, while Zuck chooses

to only briefly touch on the Confederate States of America (pp. 137–8), one wishes that a developing southern nationhood based on slavery was more foregrounded throughout the text. It is not completely absent and in a wonderful section on the Missouri Crisis, Zuck does get at the way in which southern slave politics informed the debate over divided sovereignties (p. 72). At the same time, the outbreak of the Civil War is the ultimate culmination of the *imperium in imperio* feared by the founders. It is not that this is missing but it could have been a stronger thread throughout the book and would have helped refine our understanding of *imperium in imperio* for 19th-century Americans. Despite these problems, Zuck has written an important book on the United States in this period. By using theory and the tools of literary criticism, Zuck puts politics and nation-making back into the conversation on 19th-century race and identity. Zuck convincingly resurrects a key conceptualization of the United States that, as our current political climate makes clear, continues to have immense consequences for the nation and its citizens.

Notes

1. Liz Farmer, ‘Alabama joins wave of states banning foreign laws’, *Governing: The States and Localities*, 4 November 4 2014 <<http://www.governing.com/topics/elections/gov-alabama-foreign-law-courts...> [2] [accessed 6 July 2017].[Back to \(1\)](#)
2. Erika Lee, *At America’s Gates: Chinese Immigration During the Exclusion Era, 1882–1943* (Chapel Hill, NC, 2003).[Back to \(2\)](#)
3. See for instance John Burton, *The French Canadian, Imperium in Imperio: A Lecture on our Creed and Race Problem* (Toronto, 1887).[Back to \(3\)](#)

The author is happy to accept this review and does not wish to comment further.

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