

university's post-World War II crisis in leadership. He frankly examines the difficulties during the administration of Robert Lee Flowers, who, along with most of his administrative colleagues, was too old to meet the challenges Duke then faced.

Durden used a few secondary works on higher education in the United States, but most of his material came from university and private papers in the Duke University Archives. In addition, he also found some material in student publications, university bulletins, and local newspapers.

The book focuses on the emergence of Duke University, and Durden does a fine job developing this story. However, readers might wish to be able to place Duke in the broader context of state, regional, and national events. Durden develops these themes only briefly. Despite this one weakness, *The Launching of Duke University, 1924-1949* is a valuable book on the emergence of one of the South's and the nation's major research universities.

Alice E. Reagan

Northern Virginia Community College  
Woodbridge, Virginia

*American Arbitration Law: Reformation—Nationalization—Internationalization.* By Ian R. Macneil. (New York: Oxford University Press, 1992. xvi, 266 pp. \$39.95, ISBN 0-19-507062-3.)

Ian R. Macneil's book is an important piece of legal history. Originating in an investigation into the 1925 passage of the United States Arbitration Act (USAA), the book presents previously ignored evidence concerning the USAA's origins. Macneil's analysis also reveals a new perspective on the "premodern" state law of commercial arbitration and the reform movement it spawned.

Macneil divides the book into three parts: a discussion of the pre-USAA state law and its reform; the history of the adoption of the USAA and its judicial interpretation; and the internationalization of arbitration law. He concludes with a call for reform. The author's clear, direct style will be a pleasant surprise to those familiar with legal prose.

In the first part, Macneil uses diverse

sources to demonstrate that the prereform legal system was supportive of arbitration and that the main innovation of "modern" arbitration law is the enforceability of agreements to arbitrate future disputes. Both findings contradict the conventional wisdom in the area.

Macneil then traces the courts' transformation of the USAA from a procedural statute into a regulatory statute that preempts state substantive law. Through an impressive marshaling of a wide range of evidence, he establishes that the preclusive interpretation of the USAA is incorrect. A comparison of this book with the Supreme Court's account of the USAA's legislative history in *Southland Corp. v. Keating* (1984) is convincing evidence that the "history" in court opinions is indeed, as Macneil concludes, often "pathological history."

Macneil's treatment of the negotiation, adoption, and consequences of bilateral treaties and a United Nations (UN) convention on foreign arbitral awards is too short. The section concentrates instead on a discussion of the Supreme Court's handling of international arbitration issues.

One of the book's few weaknesses is that Macneil ignores labor arbitration. Although he acknowledges its "significant role" in the movement to reform commercial arbitration, he limits his discussion of labor arbitration to occasional mention of court cases. The absence of analysis of the participants' interests is also disappointing. For example, despite a compelling picture of the debate over the USAA, Macneil includes only a few hints concerning the participants' motives. Similarly, he offers no explanation for the twelve-year delay in ratification by the United States of the UN convention. The descriptions of statutory drafts and chronologies are confusing at times. Tables charting the adoption of modern state commercial arbitration acts, for example, would have clarified the presentation. Finally, readers without a legal background may occasionally stumble on undefined legal terms.

This is an important book for those interested in all forms of alternative dispute resolution, not only because it is the first to examine the history of the USAA but also because of the skill with which Macneil combines legal and historical analysis. His writing should spark additional scholarly interest in the bat-

tles over the modernization of United States arbitration law.

Andrew Morriss  
Case Western Reserve University  
Cleveland, Ohio

*A Passion for Polka: Old-Time Ethnic Music in America.* By Victor Greene. (Berkeley: University of California Press, 1992. xii, 355 pp. \$28.00, ISBN 0-520-07584-6.)

*Polka Happiness.* By Charles Keil and Angeliki V. Keil. (Philadelphia: Temple University Press, 1992. xii, 221 pp. \$34.95, ISBN 0-87722-819-1.)

In *A Passion for Polka*, historian Victor Greene provides a survey of what he terms “ethnic old-time” music, in reality, a variety of musical subcultures produced by central and eastern European immigrants and their descendants in the United States. Greene’s book covers many groups and will prove a rich mine for historians. (Readers should be forewarned, however, that the coverage is uneven and the selection process follows a somewhat arbitrary path through decades and regions. Italian Americans, for example, appear early and late and disappear in between. No sense of the overall shape of Italian-American musical culture ever emerges.) Greene describes the activities of ethnic entrepreneurs and performers such as music publishers Vitak and Elsnic, Finnish-American accordionist Viola Turpeinen, post-World War II “Polka King” Frankie Yankovic, and a dazzling array of others. The strength of this book resides in Greene’s efforts to place such activities within the context of mainstream trends.

In the strongest chapter, “Hard Times and Ethnic Old-Time in the Crossover Age, 1930–1940,” Greene suggests that second-generation ethnic musicians and businessmen transformed local traditions and created broader ethnic genres with intercultural and regional appeal, using tools from a variety of sources. Appropriating radio, commercial dance halls, swing-era ensemble concepts, newly popular instruments such as the piano accordion, and a revived recording industry, ethnic cultural producers created a new vernacular tradition that reaffirmed both ethnic pride and national belonging. One is tempted to provide a more

memorable name for such a musical category, one that can find its place alongside country-western and rhythm and blues—perhaps “polka and schmaltz.” (I coin this term with affection.) Greene makes a number of important and convincing points in the course of this chapter. He provides additional evidence that second-generation ethnic Americans did not fall as far from the tree as the Marcus Hansen thesis would have us believe. (One is tempted to add that many immigrants were themselves not bound by old, imported traditions. My Russian-born Jewish grandfather, for example, loved to listen to “hillbilly” music on the radio in upstate New York.)

Greene also demonstrates that regional ethnic musicians were linked to a variety of commercial media. In this period, at least, mass culture did not destroy older affiliations and boundaries; rather, second-generation ethnic Americans reshaped those boundaries using every means at their disposal. Finally, Greene shows that the national popularity of songs such as “Bei Mir Bist Du Schoen,” “Beer Barrel Polka,” and, later, “Blue Skirt Waltz” indicates not that popular culture had assimilated ethnic cultures, but that ethnic music had become popular by the late 1930s. Frankie Yankovic, in short, was a star, and he did it his way.

Greene’s book has its problems. He attempts to cover every group and as many performers as possible, and the final product has the feel of a “mug book” that honors all without enough clarifying analysis for the reader. Every region he covers becomes a “home to many peoples with a profound love for music.” The transitions and interpretive passages are brief, repetitive, and often weak. The wind band traditions of the late nineteenth and early twentieth centuries detailed in the first two chapters are not tied in any significant way to the rest of the book. Greene suggests that the decline and fall of vaudeville helped push a “recreation-starved” public into dance halls, yet the mainstream dance madness started before vaudeville’s decline, and movies are absent from Greene’s equation. Greene’s rough chronology for the rise and fall of “ethnic old-time” music is not entirely satisfying.

Above all, Greene’s random emphasis on various groups is puzzling. Why, for example,