

meanings to fulfill their own agendas. Given Guss's interest in how the state appropriates local celebrations to promote national identity, I would have been interested to learn how he himself, as an authority of Venezuelan folk culture, is also drawn into the politics of culture production and appropriated by competing interests as an expert. In addition, a concluding chapter revisiting some of the theoretical issues presented in the first chapter would have been an instructive and useful way of drawing together the various themes that unite the four various case studies. In conclusion, *The Festive State* is an important contribution not only to ethnographic studies of Latin America, but to our current understanding of ritual and cultural performance as well.

Laura Nader, *The Life of the Law: Anthropological Projects*, Berkeley: University of California Press, 2002, xiii + 262 pages.

Reviewer: Alan Smart
University of Calgary

Laura Nader has not only been one of the foremost contributors to the anthropology of law, but has also been at the forefront of efforts to push anthropologists into theoretical and practical engagement with the ways in which disputes and the administration of justice influence and transform the lives of the people we study. Her 1969 call for anthropologists to "study up" was extremely influential in the discipline, and this book demonstrates the results of a career devoted to studying up while keeping in close touch with ordinary people in Mexico, Lebanon and the United States.

This volume derives from the 1996 Cardozo Lectures given at the University of Trento, Italy. The first chapter is a long (53 pages) "personal document" describing the trajectory of her research career and how it has related to general trends in the study of law and anthropology. While perhaps overly familiar for those who have followed her work, or have watched her 1981 PBS documentary *Little Injustices*, the chapter illustrates how a career-long focus on disputing can continually be reinvented with new insights into how ethnography can study issues with a broader, even global, impact. She notes that when asked about her persistence with the topic, she responds that the "present academic scene is cursed by trendiness" (p. 6) and that sticking with a subject in a changing world has "led me to think even more intensely about what ordinary people think is important: disputes. Disputes under changing conditions have challenged anthropologists to rethink methodologies and old theories, to rethink the place of our work in history, and to think about the work of our colleagues in allied areas" (p. 7).

The second chapter explores the changing relationship between anthropologists and lawyers in the study of law and disputes. She traces it back to the 19th century, when several

of anthropology's key ancestral figures received their training in law, including Maine, Morgan, McLennan and Bachofen. Professionalization in both disciplines led to a greater separation in the 20th century, but more recently, movements such as Law and Society, Economics of Law, and Critical Legal Studies have increased the degree of collaboration. Nader sees the public interest law movement as an exemplar of engagement that anthropologists can learn from.

Hegemonic processes in law are the focus of chapter three. Her key example is what she calls "harmony ideology" where adversarial dispute procedures are challenged by dominant pressures towards mediation, negotiation and conciliation. She sees this as having been a central feature of many colonial regimes, and came to recognize that processes of "making the balance" that were so prominent in her early Zapotec work were not simply indigenous cultural features but had been actively promoted through colonial pacification. As a result, she is very sceptical about widespread policy concerns about the putative "litigation explosion" in the United States and the Alternative Dispute Resolution movement. This is an ironic case where the work of anthropologists on disputing processes in village or tribal contexts has had a major practical influence but anthropologists have become the harshest critics of the use made of their work. Nader argues that Alternative Dispute Resolution has become a new way of controlling populations that became too interested in gaining access to justice forums in the 1960s and 1970s. The litigation explosion is revealed as representing at best a "quarter truth," and the promotion of alternatives to adversarial legal procedures was intended "to prevent not the *causes* of discord but the *expression* of it" (p. 141).

The next chapter makes explicit an approach that has become more explicit in the course of Nader's work, what she calls a "user theory of law." In contrast to the dominant emphasis in jurisprudence and political science on influential decision-makers, judges and legislators, she emphasizes the plaintiff as a key source of legal transformation. She argues that a search for justice, or more precisely responses to the experience of injustice, is fundamental and universal in human societies, so that forums for justice are also ubiquitous. Furthermore, she asserts that "the direction of law is dependent in large measure on who is motivated to use the law and for what purposes" (p. 169). The unintended consequences of these aggregated patterns of usage are compared to linguistic drift. In the epilogue she takes this approach to examine key contemporary global issues of intellectual property rights and indigenous rights. She points out that anthropologists who may have had little interest in legal questions have frequently been brought into these debates by the insistence of the groups that they have studied, as they dealt with issues such as biopiracy or toxic waste dumping on native reservations. As Nader remarks in the concluding paragraph:

We live in a face-to-faceless world massively affected by global industrialization. In this world in which the com-

plaint may be as important as the winning, the injured plaintiff keeps the law alive and reminds social scientists of the dynamics of culture. (p. 230)

The Life of the Law does not present a great deal of new information or analyses. Instead, it traces and compiles the conclusions of a career of excellent work by an insightful and engaged scholar. It might be of greater interest to those who do not work in the anthropology of law than to those who are specialists and know Nader's corpus well, providing a clear sense of the cumulative contributions of the field to anthropology as a whole. It would also have potential as a textbook for undergraduates, who should appreciate the personal grounding and its clear and committed style of writing.

Catherine Julien, *Reading Inca History*, Iowa City: University of Iowa Press, 2000.

Reviewer: *Susan Vincent*
St. Francis Xavier University

This is a fascinating book. The project Julien embarks upon is a valuable and timely one: she works toward uncovering the genres the Incas used in constructing their own histories of themselves and then considers the information about the Incas that can be derived in this way. To do this, she carries out an archaeology of the texts written by Spaniards about the Incas within about the first century after the Spanish arrival in Peru. The project is based on the premise that the construction of history is culturally situated and politically mediated. Thus, the Spanish chroniclers developed their histories by gathering information from Inca sources and then reformulated the information to make sense of it in terms of Spanish notions of history as well as to satisfy their own reasons for writing. By comparing the Spanish versions of Inca history, one can uncover the form and content of the material on which it is based. Julien relies specifically on Spanish narratives that drew on Inca sources from the Cuzco area. These works range from the well-known Cieza de Leon and Cobo, to the more recently published complete manuscript of Betanzos.

In searching for a distinctively Incan historiography and what it can tell us, Julien challenges Reiner Tom Zuidema's claim that the Incas were not interested in history and had only shallow memories of the past. In contrast, Julien projects backwards the idea that history is a cultural and political product of a specific moment. Thus, the Incas, just like modern historians, were involved in an ongoing revision of the story of their past in order to fit the information available as well as the political goals of the historians. In particular, Julien argues that Pachacutec, the ninth Inca, created a version of the rise of the Incas which was essentially the story of the winners of a regional power struggle: it emphasized their special and unique right to power, as against any claim to

importance of other similar peoples with whom they had had alliances or conflicts in the past.

First, Julien is interested in identifying the genres of history that the Incas recorded. These include genealogical and life history information, on which she concentrates her attention, as well as stories of military campaigns, the development of ritual, and the building and organization of the Inca political realm. After identifying the genres, Julien explores why these were important to the Inca and what information can be gleaned from them.

This process of establishing genres and interpreting them necessitates an understanding of Inca values and cultural patterns in order to read these stories. For example, Julien begins by examining the notion of "capac." While she admits defeat in arriving at a clear definition of the term, which relates to an elite Inca status, she argues that the genealogical affiliation of both mother and father are important in establishing the position of their children. This is a significant discussion, relating as it does to Zuidema's contention that the Incas followed a pattern of parallel inheritance. Against this, Julien hypothesizes that there was a political hierarchy based on segmentary descent groups devolving from each Inca ruler, in which the filiation of both parents is counted. If both parents are from the highest order of kin group, as would happen if they were full brother and sister, the children are members of the highest possible rank of descent group.

By exploring the concept of *capac*, Julien uncovers the Inca genre of genealogy and thinks about why the Incas would place importance on establishing specific lines of descent for their leaders. Her answer, derived after exploring the other genres, relates to the implications of a preferred marriage among high-born Incas as opposed to marriage alliances with the elite of neighbouring peoples. Alliances can be useful for a rising power, but once that group has achieved domination, then cultural patterns such as endogamous marriage can reinforce the special and unique qualities that justify their supremacy.

Because Julien's method is presented in great detail here, it merits some comment. The textual analysis she uses is painstaking and requires close attention on the part of the reader to follow her argument. Each Spanish text has been paraphrased in English, and these paraphrases are placed side by side to compare content and sequencing. Julien is interested in the content of the stories rather than in creating a lyrical flow herself. The resulting telegraphic narrative can be disconcerting: "They had had some problems with the cacique of Jayanca. They had also looted Chimo, after which they took the loot up to Cajamarca...From all of the loot, Pachacuti had a number of important statues fashioned" (p. 139). The same paraphrase might be used in several comparisons as Julien reads them for different purposes, making for a necessarily repetitive presentation of data. The book is not light reading.

The methodology is impressive, however. Julien teases out the distinctively Spanish modes of interpretation, such as