

Nations were the patriarchal monolith that van der Donck portrayed.

Similarly, in company with most of his fellow chroniclers, van der Donck imposed Manichean monotheism on his discussions of traditional Native American spiritualities, so that it is impossible for an unprimed reader to descry the blood and breath (or the anthropological “earth” and “sky,” respectively) that formed the twinned interdependence of the eastern woodlands’ cosmos. The annotations provided by the editors, so helpful elsewhere, occasionally fail the reader here. In response to van der Donck’s information that “the soul travels to a region to the southward” upon death (109), the editors merely comment that “northern Iroquois” thought that “one of the two souls of a deceased person” went west, while in one account, “a Mahican soul” went west (note 41, 168). There is nothing quite like fragmented, undigested information to confuse a reader thoroughly. In fact, there is a large body of tradition around each person’s twinned (blood and breath) spirits, common throughout the eastern woodlands. Each spirit takes its separate direction at death. Blood (earth) spirits usually travel west, whereas breath (sky) spirit wind up in the stars via various routes, depending upon the nation. Among the Mahicans and Lenapes, breath spirits travel south, as noted severally in the primary sources, not the least in David Brainerd (Journal among the Indians. 1749: 314) and George Henry Loskiel (History of the Mission. 1794/1: 35).

Elsewhere, when van der Donck mentioned that a dead person’s name was not uttered, to avoid inflicting pain on injury on a “deceased’s kin, together with all those of the same family, jurisdiction, and those living in the same area and carrying the same name” (89), the editors struggled to understand whether a whole ethnicity, clan, or residential group were intended (note 20, 165). What this reference indicated, however, was that the personal name of the deceased was not said aloud, until the breath medicine of the name as connected to the individual had dissipated, usually about ten years after death. Consequently, clan mothers took great care not to give the same name to two living people, but sometimes, kin at a distance accidentally assigned a name already in use. Also, bonded friends (a status) used the same name as a sign of their bonding, as might certain medicine circle members. Speaking aloud a name worn by both a living and a dead person could, on the benign end, confuse the spirits into taking the living into the realm of the dead or, on the malign end, unleash a wrinkled spirit on the living namesake. This problem was what van der Donck alluded to. Not all of the Indian section is this problematic, however. Much of it is quite straightforward, and even when the signal must be parsed out from the noise, as in the two examples above, the section is rewarding to the scholar, and the endnotes, usually clarifying.

One distinct kindness that the editors imposed on the text is in rendering van der Donck’s “*wilden*” (literally, wild ones) as “Indians,” not “savages.” Although van der Donck was fairly clear that the term was used in preference to “heathen,” as a pejorative emphasizing the Indians’ non-Christian state (75f.), the racist content of the

term is shameful today. Not only is it painful to any of the excoriated group to see itself constantly dehumanized in the old texts, but it is also very misleading to upcoming, unsuspecting students, who sometimes pick up antique slurs as viable modern terminology, as has happened with the racial insults “Mingo” (meaning “the sneaky people,” not “Ohio Iroquois”) and “mulatto” (meaning “sterile hybrid”). More editors should follow the bold lead of Charles Gehring and William Starna in refusing to replicate the “savage” calumny.

As one who has, in the past, perforce used the 1841 Johnson translation of “A Description,” I admit to a thrill of excitement when I first opened the Goedhuys translation and realized what I had in hand. This start of joy only increased as I read his well-considered rendering. Alas, several times, I found myself wishing that the index had been more sumptuous, as I penned in my own notes. Also, a short bibliography containing, not only van der Donck’s works, but also every source cited in the twenty-three pages of annotations would have been welcome. These drawbacks were little more than passing irritations, however, whereas Russell Shorto’s foreword on the all-too-brief life of Adriaen van der Donck (1620–1655) was chockfull of handy information, even as the editors’ preface on Goedhuys’ translation was enlightening. The sources on this geographical area in the Dutch period are sparse, so that the addition of this superb translation of van der Donck is of high importance to scholars.

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Donovan, James M.: Legal Anthropology. An Introduction. Lanham: AltaMira Press, 2008. 265 pp. ISBN 978-0-7591-0983-4. Price: £ 24.75

This book aims to be a coursebook for teaching social or cultural anthropology. It is divided into six parts and 21 chapters, plus a useful introduction and an index. The six parts of the book give a “General Theoretical Background” (chs. 1, 2) and cover the “Forerunners” (chs. 3, 4) of legal anthropology, its “Ethnographic Foundations” (the core part of this book: chs. 5–12), some “Highlights of Comparative Anthropology” (chs. 13–15) and “Issues in Applied Legal Anthropology” (chs. 16–19). The final parts of the book consist of two “Conclusions” (chs. 20, 21). Each of the chapters is accompanied by references and – more important here – suggestions for further reading, which stresses the teaching character of this work. These further readings are not only very useful for students but also for their academic teachers as they give plenty sources of information on various topics outlined in the book.

Thus, giving its clearly didactical character, one cannot expect many new theoretical insights or detailed case studies from recent fieldwork. Instead, this book is a well-written introduction into legal anthropology of law which covers most of the ethnographic “classics” at length, but also shows the author’s consciousness of more modern problems in postcolonial times. As this book obviously serves English-speaking readers, it shows rather anglophone tendencies, ignoring studies in French, Ger-

man, or other languages. One cannot but wonder whether Johann Bachofen deserves to not be mentioned in the chapters on the history of the subject, giving his enormous importance for 19th-century anthropology.

Donovan mentions mainly philosophers as forerunners in legal anthropology (Plato, Aristotle, Cicero, Thomas Aquinas, Hobbes, Locke, Montesquieu) and 19th- and early 20th-century sociologists (Marx, Durkheim, Max Weber – chs. 3, 4). The works by Henry Sumner Maine and Lewis Henry Morgan are also mentioned, but rather shortly. Here one would have set a more precise focus on early anthropologists of whom many were trained lawyers or jurists such as Maine, Bachofen, Morgan, or McLennan. It is not by chance that these founding fathers of anthropology were interested in the law of “tribal” peoples as this had direct consequences for the administration of colonial territories. Adolf Bastian, for instance, wrote 1898 in an article on the tasks of ethnology that the law of “tribal” peoples had to be applied in colonial contexts (*Die Aufgaben der Ethnologie. Tijdschrift voor Indische Taal-, Land- en Volkenkunde* 40.1898: 191–213). “Traditional” or “native” law was among the first cultural features studied when a region came under colonial rule. It was of crucial importance in settling local conflicts or for registering land.

Unfortunately, Donovan remains rather silent on this point. The rise of legal anthropology was accompanied by its search for applicability, especially in colonial times. The example of Isaac Schapera is a case in point. Donovan is right to dedicate him a whole chapter (79–87), as he was an influential founding father of anthropology of law, especially in the field of so-called “customary” law. Schapera’s fieldwork in the Bechuanaland Protectorate in South Africa from 1929 onwards and his academic position at the University of Capetown since 1935 enabled him and his students to apply his theories to colonial situations. His “Handbook of Tswana Law and Custom” (1938) already shows in the title the intended applicability for colonial officers. From the reviewer’s point of view, the connections between legal anthropology and practical colonialism could have been worked out more explicitly.

Another point which is missing in the chapters on the “classics,” such as Malinowski, Schapera, and Bohannan, would have been a historical perspective. These ethnographers treated “traditional” or “customary” law as an unchanging, static constant which only has to be written down by a trained anthropologist or other gifted observers. Especially in illiterate societies, however, this “customary,” uncodified law was used rather flexibly and often adapted to particular situations. Once written down, it loses this flexibility because opposing parties always can refer to the written version of their group’s “traditional” law. This has been already described three decades ago by medieval historian T. M. Clancy in his excellent essay “Remembering the Past and the Good Old Law” (*History* 55/184.1970: 165–176), which is worth reading not only by historians but also anthropologists of law. The consequences of literacy for uncodified law are not addressed in Donovan’s introduction.

But the book also has several strong points. It extensively covers the problems of legal pluralism in chapter 15 (186–193), which occurs in many places, regions, and states of the world, but especially in the context of modern nation-states. When “law” is defined as the “law of the state,” ethnic and religious minorities have difficulties in securing their traditional rights or religious freedom (191). The crucial question here is whether a state has or should have a monopoly on law or not. The current debates on the introduction of Islamic religious law in Indonesia and elsewhere may serve as an illustrating example.

Furthermore, Donovan discusses in chapters 16–19 current issues in applied legal anthropology. Here, he mentions human rights problem, terrorism as well as intellectual property rights as important issues of discussion. Many other fields and case studies could have been mentioned but had to be omitted due to the lack of space. However, chapters 16–19 clearly demonstrate how important the anthropology of law could be in modern and postcolonial times.

To conclude, Donovan’s introduction is a book worth reading, although with some shortcomings, especially concerning the discussion on the founding fathers (and mothers) of legal anthropology (chs. 3–7). The more contemporary the issues are, the more interestingly the chapters are written (chs. 13–19). Generally speaking, this book succeeds in its function as a textbook; especially Donovan’s suggestions for further readings are excellent. Thus, if used with care and some additional materials, this book makes a well-written introduction to an important field of anthropology. Holger Warnk

Eberhard, Igor, Julia Gohm und Margit Wolfsberger (Hrsg.): *Kathedrale der Kulturen. Repräsentation von Ozeanien in Kunst und Museum*. Wien: Lit Verlag; Berlin: Lit Verlag, 2008; 196 pp. ISBN 978-3-7000-0916-0; ISBN 978-3-8258-1849-4. (Novara, 5) Preis: € 19.90

“Sage mir, was Du sammelst und ausstellst, und ich sage Dir, wer Du bist”, könnte man plakativ die Tatsache charakterisieren, dass Museumssammlungen und -ausstellungen (ebenso wie solche von Kunstsammlern) mindestens genauso viel über Sammlerpersönlichkeiten, Kuratoren, Besuchererwartungen und Paradigmen ihrer Zeit und (meist westlichen) Kultur aussagen wie über jene pazifischen Kulturen, deren materielle Schöpfungen sie (re)präsentieren. Umfangreiche Konvolute von Keulen und Speeren in nahezu allen westlichen Ozeanien-Kollektionen sowie eine Tendenz zu aufwendig verzierten Holzexponaten neben einer verhältnismäßig geringen Präsenz textiler oder unspektakulärer, wenn auch in der Herkunftskultur wichtiger Objekte belegen dies selbst bei flüchtiger Sichtung von Sammlungen. Die vor allem von Appadurai (Introduction. *Commodities and the Politics of Value*. In: A. Appadurai, Arjun [ed.], *The Social Life of Things*. Cambridge 1985: 3–63) und Kopytoff (*The Cultural Biography of Things*. *Commodification as Process*. In: A. Appadurai, Arjun [ed.], *The Social Life of Things*. Cambridge 1985: 64–93), der New Yor-