

*Luther-Bibel*

1545 Luther-Bibel. <<http://www.biblegateway.com/passage/?search=Luther-Bibel&version=ESV>> [04.08.2009]

**Muchowski, Piotr**

2000 Rękopisy znad Morza Martwego. Qumran – Wadi Murabba'at – Masada – Nachal Chewer. Tom 5. Kraków: The Enigma Press.

**O'Donoghue, Noel D.**

1989 St Patrick's Breastplate. In: J. P. Mackey (eds.), *An Introduction to Celtic Christianity*; pp. 45–63. Edinburgh: T. & T. Clark.

**Ó Duinn, Seán**

2000 *Where Three Streams Meet. Celtic Spirituality*. Blackrock: Columba Press.

**Ó Fiannaigh, Pádraig** (ed.)

1988 *Saltair. Urnaithe dúchais. Prayers from the Irish Tradition*. Dublin: Columba Press.

**Ó Laoghaire, Diarmuid** (ed.)

1990 *Ár bPáidreacha Dúchais. Baile Atha Cliath: Foilseacháin Ábhair Spioradálta*.

**Pecaric, Sacha** (ed.)

2005 *Modlitewnik żydowski*. Kraków: Stowarzyszenie Pardes.

**Rodgers, Markus**

n. d. *A Pilgrim Way*. Glendalough. n. p.

**Quin, Ernest Gordon**

1983 *Schalwort féih*. In: E. G. Quinn (ed.), *Dictionary of the Irish Language*; pp. 101–102. Dublin: Royal Irish Academy.

**Stokes, Whitley** (ed.)

1887 *The Tripartite Life of Patrick, with Other Documents Relating to that Saint*. (Ed. With Transl. and Indexes by W. Stokes.) 2 Vols. London: Her Majesty's Stationary Office. (*Rerum britannicarum medii aevi scriptores / Great Britain*. Public Record Office, 89)

**Streit, Jakob**

1984 *Sun and Cross. The Development from Megalithic Culture to Early Christianity in Ireland*. Edinburgh: Floris Books.

**Tyloch, Witold** (ed.)

2001 *Rękopisy z Qumran nad Morzem Martwym*. Warszawa: Książka i Wiedza.

**Watson, William J.**

1915 *The Celtic Church in Its Relations with Paganism*. *The Celtic Review* 10: 263–279.

## Thomas C. Patterson's Timely Perspective on Marxian Anthropology

### A Review Article

Thomas Bargatzky

In 1972, David McLellan wrote a short outline of the different views that have been taken of Karl Marx's doctrines. McLellan referred to the enthusiasm for Marx's early writings when they were eventually unearthed from the Moscow archives and published around 1930. The early works gave rise to the question as to whether there was a continuity in Marx's thought. With respect to the "Grundrisse," McLellan concludes his article with the following comment: "In his later work, Marx had neither the time nor the space to develop many of the remarks contained in 'Grundrisse.' Thus the publication of this vital manuscript shows how dramatically incomplete is Marx's work" (1972: 14).

This incompleteness is the inevitable consequence of the very scope and richness of Marx's work, and any attempt to squeeze out of it *the* Marxist theory is doomed to failure.<sup>1</sup> Its incompleteness makes accession to it so hard, but at the same time so rewarding. What is more, Marx continually refined the empirical, philosophical, and practical dimensions of his approach. From time to time, therefore, a pathfinder is needed to clear the way, to point to dead ends, and to convince the audience that it is still worth devoting time to the study of Marx's (and Engels's) work. Thomas C. Patterson is such a pathfinder – and a good one, too.<sup>2</sup>

To be an anthropologist means to be in a position to render intelligible the relation of ideas and actions under specific sociohistorical conditions. Karl Marx has devoted his life to this task; hence, Patterson is correct when he begins the introduction to his important book with the statement that "Karl Marx was an anthropologist" (1). His book is meant to be "Marxian rather than Marxist" (ix); and: "This book is a polemic" (3); Patterson has a standpoint on Marx's writings and their relevancy to anthropology. He cogently argues that "Marx was indeed an anthropologist. His anthropology was empirical-

1 Maurice Godelier (1978) and Jonathan Friedman (1974) offer examples for such ill-advised attempts in anthropology. Meritorious in their time, they nevertheless made the futile attempt to freeze Marx's complex universe of ideas and ever-changing concepts into the frame of one coherent approach.

2 Patterson, Thomas C., *Karl Marx, Anthropologist*. Oxford: Berg Publishers, 2009. 222 pp. ISBN 978-1-84520-511-9. Price: £ 19.99.

ly grounded in the changing realities of everyday life in his own society broadly conceived and in accounts of other societies – initially past societies in the West and increasingly contemporary societies in other parts of the world” (145).

Patterson’s “polemic” is a timely and a necessary one, because after the fall of the Soviet empire, when foolish accounts on “the end of history” were in vogue, Marx’s work was widely rejected and considered irrelevant for the analysis of the brave new world to come. The social sciences, and anthropology in particular, owe Patterson a debt of gratitude for this outstanding reappraisal of the work of one of the greatest thinkers on history, society, and culture. Patterson is qualified in the best possible way for undertaking this task, since he has distinguished himself by many publications devoted to the promotion of a Marxian anthropology.

Patterson unfolds the setting of modern anthropology in Enlightenment thought (chap. 1), outlines the major features of Marx’s philosophical anthropology (chap. 2), deals with humans as “natural beings” (chap. 3), and offers an encompassing outline of precapitalist societies, and modes of production (chap. 4). Patterson takes stock – but he wants to examine, too, Marx’s relevancy for addressing today’s issues, and considers some of the problems that are pressing concerns today – problems Marx addressed more than a century ago (chap. 5 and 6).

Patterson shows that Marx’s view of the world was profoundly historicist: “Unlike Rousseau, Hegel, and others, Marx did not distinguish between the physical and moral character of human beings and thus separate the human history from the realm of nature” (6). Marx’s theory of history is of major importance for anthropology, because it is guided by the notion of contingent determinism, or nonteleological directionality. Patterson emphasizes that Marx drew a sharp distinction between precapitalist and capitalist societies. Marx views the former as limited, local, and vital and the latter as universalizing and ridden with antagonisms. Capitalist societies continually transform the forces of production, create new markets for their commodities, and dissolve traditional ways of life as peoples on the margins are incorporated into capitalist relations of production. Marx lays stress on understanding the structures underpinning precapitalist societies and the processes that underwrote the changes in those societies. The apparent resiliency of those societies under specific sociohistorical conditions made Marx realize the importance of cultural differences.

The concept of *mode of production* helps to synthesize Marx’s perspective on the dialectics of cultural variety and structure: “different societies were

organized on the basis of different modes of production and forms of property relations” (115). What is more, Patterson claims that Marx had a more sophisticated sense of culture than is commonly assumed (it is Antonio Gramsci who is commonly, and correctly, credited with an appreciation of culture): In Marx’s view, the associated forms of social consciousness (culture) were “intimately intertwined with praxis and the social relations manifest in historically specific, historically contingent societies” (116). Praxis, of course, is specifically human, it is not an attribute of either machines or animals. “Praxis is the active process by which human beings establish a relation with objects of the external world and with one another” (57).

The wide range of topics dealt with by Patterson invites comment, but it calls for parsimony, too, and a *pars pro toto* approach. Hence, I will confine myself to commenting only on a few selected aspects of concept formation which, in my mind, should be engaged by a Marxian anthropology in the years to come.

### Base and Superstructure: Putting the Record Straight

Patterson (103–105) makes it clear that the famous *base-superstructure* model, developed by Marx and Engels in 1845 and 1846 in “Die deutsche Ideologie,” is an architectural metaphor which is intended to be a shorthand, or “summary statement of complex relations” (48). It was *not* intended by Marx as a statement of the “economic determination of society and history” (48). This is an apt and necessary clarification. It is corroborated, by the way, by Engels himself in an illuminating letter to Joseph Bloch written in 1890 (cf. Engels 1978). The model does not play the role commonly accorded to it by both critics and superficial “Marxists” subscribing merely to a vulgar materialism. Indeed, Marx and Engels themselves made it very clear that, contrary to vulgar materialistic readings of Marxian thought, the base-superstructure model does *not* refer to a transhistorical and universal social feature, but that it refers only to the period in European history that began with the Peace of 1648, when modern bourgeois class society began to develop in Europe, especially in France during and after the reign of Napoleon Bonaparte (cf. Engels 1972a: 511 f.; Marx 1960: 138 f.; 1973: 336; 1979: 96, fn. 33).

The student of Marx and Engels encounters similar problems in relation to the alleged universality of class and class formation. Patterson deals extensively with the different forms of appropriation of

tribute in the form of labour, goods, rents, or taxes under precapitalist modes of production, e.g., Samir Amin's (1976: 14 and *passim*) concept "tribute-paying mode of production" (cf. Patterson, p. 102). It is interesting to note in this connexion that Patterson refers only in passing to anthropologists connected to the so-called "Neo-Marxism" of the 1970s and 1980s and the "articulation-of-modes-of-production" debate (e.g., Claude Meillassoux, Pierre-Philippe Rey; Patterson p. 177, fn. 3). Jonathan Friedman and Emmanuel Terray, two influential representatives of Neo-Marxism, are not mentioned at all. Neo-Marxists like Maurice Godelier (1978) failed to realize that the base-(infrastructure) superstructure model was not intended to be a universal formula, applicable to all modes of production in all historical periods. Hence, Godelier's well-intentioned attempt to save the universality of the base-superstructure model by declaring that these categories refer to *functions* and not to *institutions* in precapitalist societies, is indefensible. The primary sources were available, after all, at the time of the formation of the neo-Marxist school.

### Thought and Action

Patterson mentions Descartes, or Cartesian rationalism in passing, merely as an intermediate, moderate standpoint between the traditionalist and radical extremes of Enlightenment thought (11, 13, 24, 51). To my mind, he underestimates the immense influence of Descartes's separation of nature from culture on the development of rationalism and the axiomatic foundations of modern science (cf. Hübner 1983). This is regrettable since Cartesian rationality underpins the scientific construction of the individual, abstract thought in the construction of modern worldviews, and the use of nature as matter under the conditions of the capitalist mode of production. On the other hand, the non-Cartesian ontology of myth underpins the specific concreteness of thought and action conditioned by precapitalist modes of production (cf. Hübner 1985). Myth makes no distinction between subject and object, mind and matter, the part and the whole, the inside and the outside. All these distinctions, however, lie behind the scientific mode of explanation. They follow from Descartes's distinction between *res cogitans* and *res extensa*. Yet non-Cartesian ontology is not irrational. Rationality is a *formal* criterion for the correctness of an argument. Thought and action within the framework of such an ontology are rational, as Hübner (1983, 1985) has shown.

The notion of the concreteness of thought and action (in precapitalist modes of production) can be illuminated by reference to Plato. To convey his idea that the knowledge required by the handicrafts is inherent in their application, Plato uses two words in his treatise on "The Statesman" (258d): *enousan*, to be inherent in, and *symphyton*, to be grown together. The Latin infinitive of *symphyton* is *concrecere*, to grow together. Plato's thesis is that practical knowledge and action have grown together, they are inseparable (cf. Bargatzky 1996: 300f.). This distinction has been taken up by Kant, who distinguishes between abstract knowledge (*Erkenntnis in abstracto*) and concrete knowledge (*Erkenntnis in concreto*). Alfred Sohn-Rethel on this argument, his Marxist analysis of intellectual and manual labour and the role of exchange value in the development of abstract thought is of utmost importance in this connexion (1965, 1973).

Hence, it follows, among other things, that religious ideas in precapitalist societies may not be assigned *a priori* to "superstructure," as the vulgar materialistic reading of Marx is prone to do. I will elaborate on this in the following section.

### Religion, Production and Reproduction

In anthropology, the assessment of religion and its place in specific modes of production and structures of social reproduction has been hampered by a superficial vulgar materialistic perspective on religion, underpinned by a misplaced notion of base and superstructure as transcultural universals. It is obvious that Engels's informed treatise on the role of early Christianity in ancient Rome did not find the attention it deserves (cf. Engels 1972a: 526f.; 1972b). Again, Patterson puts the record straight. He points to the fact that for Marx, raised in a predominantly Catholic region oppressed by a Protestant state, religion was always more than the ideological expression of the powerful, legitimating hierarchy, it was also an active moral agency for the deprived (156).

It is essential to recall in this connexion that under precapitalist conditions, the content of the ideas inherent in action is religious in character. This is precisely what Jonathan Friedman had in mind when he posited that "When the distribution of labor input and output is determined by relations whose content is 'religious' this does not mean that such relations are ideological but that the religious relations function as relations of production" (Friedman 1979: 253, fn.). Or: "In what sense ... should an ancestor cult be more ideological than a bank account? Or is money somehow more real than god? Marx's

answer was that capitalism is a ‘religion of everyday life’ and that religion in some societies can provide the central relation of production, i.e., control over the process of social reproduction. ‘Asiatic’ property or non-property, control by virtue of descent from the divinity is no more fictitious than the so-called legal ownership of capitalist society” (Friedman 1979: 273 f.).

A Marxian perspective on the concatenation of thought and action will be helpful in gaining a proper understanding of the position of religion in pre-capitalist society. The refutation of vulgar materialistic thought, still alive and well in anthropology, will certainly be an assignment for a Marxian anthropology in the years to come.

### Nation and Nation-State

Patterson deals comprehensively with the problem of the nation and state (chap. 5). I would like to offer some friendly critique. For Marx and Engels (and later Lenin and Stalin), the rise of national states was inseparably linked with the development of industrial capitalism, the formation of colonies, and the creation of both domestic and overseas markets. Marx and Engels “were acutely aware of the complex culture-historical, political, and economic roots of ethnic, national, and racial differences that fragmented the working classes of particular national states ... and of the chasms that separated the proletarians from one country from those of another” (140f.).

It is correct that national identities in national states were imposed on a people from above. According to Patterson, they should be distinguished from those “that arose in the community and addressed real human needs as opposed to the abstract concerns of the state and of the monarchs, representatives, and civil servants who viewed the state as their own private property” (141). It is also correct that the relation of capitalism to the national state is a complicated one and that national states have historically protected capitalist enterprises located in their territories and have suppressed resistance to the actions of those firms and the state itself (164). Patterson is also correct in that under globalization in the last forty years, the capitalist classes of different societies have formed regional and international institutions (e.g., NAFTA, WTO) to facilitate the flow of commodities and capital between different countries, at the same time that national states have hindered the formation of transnational unions and attempted to regulate the flow of workers across their borders (142).

Yet here is a tinge of aloofness and oneness underpinning Patterson’s discourse of the nation, an attitude he shares with the majority of Western academe. Ernest Gellner’s (e.g., 1983) notion of national culture as an overarching, generalizing culture partially rooted in, but essentially *transcending*, culture from below, thereby creating a necessary space of communication for mobile persons under the impact of modernization escapes Patterson. After the disintegration of traditional social institutions in Europe in the wake of the development of industrial capitalism, the idea of belonging to a nation gave a sense of identity to those who had to change places in order to seek work. The nation served as a psychological buffer which absorbed the impact of modernization and it continues to do so today (Connor 1994), as Patterson has to admit when he refers to the new irredentism, such as the reterritorialization that takes place at the border between Mexico and the United States (Bargatzky 2009). What is more, the idea of nation is a rhetoric tool which has been, and continues to be employed by many non-Western people to underpin their claim for the recognition of their right to self-determination (for Africa, cf. Emerson 1966). It would be a paradox of history if Western intellectuals claiming to support their political struggle against exploitation were to remove from them one of their powerful weapons.

In the “Communist Manifesto,” Marx and Engels had advocated, among other things, several forms of income redistribution, equal liability for work, state ownership of public utilities and banking, forging a social safety net, a more equitable distribution of justice (158). In an article written five months before his death on 5 August 1895, Engels, however, admitted that the socialist movement had been successful through action within the legal framework of the modern state (trade unions) and its system of political franchise (1972a: 522–527).

The arena for the struggle for social justice in Engels’s time was the nation-state. Hence, when Lenin (1960) and Stalin (1950) realized that the issue of national identity had to be taken into account, they turned resolutely nationalistic in their rhetoric. The new socialist order was to be built on the foundations of national states, even when they had to be designed on the drawing board. For reasons I can not extensively deal with in this review, however, the scheme did not work out. One reason is Stalin’s decision to adopt Russian chauvinism which made him do just the opposite of the tenets he postulated in his writings.

The latter remarks are not intended as an exoneration of Soviet Marxism-Leninism. I want to point out, however, that the idea of nation is neither right-

wing nor left-wing, but contingent upon modernization. Be that as it may, globalization amply testifies to the fact that the working population's interests can still best be carried through and protected within the framework of the (national) state, whatever its shortcomings. At least one of Patterson's colleagues knew this well (cf. Harris 1982). So did Antonio Gramsci (e.g., 1975: 102f.).

All things considered, it would be unwise to prematurely discard the political idea of the nation which, as one will recall, originated from the political *left* since its inception during the French Revolution.

To conclude this review, Gerd Spittler, in his history of the anthropology of work, stated that there have been Marxist anthropologists in the West only since the 1960s. The Marxist renaissance in anthropology was only possible, among other things, because the most interesting works of Marx from an anthropological point of view remained unpublished for a long time and only gradually became accessible in print, and in translations (Spittler 2008: 45). Alas, even though the "Ökonomisch-Philosophische Manuskripte," the "Deutsche Ideologie," and the "Grundrisse" were published for the first time in German in 1832 and 1953, respectively, Marx did not find great approval among German anthropologists. This is hard to understand, because "no one else brought out so strongly the anthropological importance of work and the difference between capitalist and pre-capitalist societies" (Spittler 2008: 45). What is more: a few exceptions aside,<sup>3</sup> the majority of those who considered themselves to be "Marxists" in the 1970s would for the most part indulge in an unfettered vulgar materialism, subscribing to the belief in the transcultural and transhistorical universality of the base-superstructure model. Not even the neo-Marxist school was met with interest.

At least, as far as Marx is concerned, it is time for a change. It is to be hoped that Patterson's book will convince readers of the richness and value of Marx's (and Engels's) works and their explanatory power concerning the ways "Man Makes Himself" (Vere Gordon Childe. London 1936) in history. "Karl Marx, Anthropologist" is a timely, necessary, encompassing, and important book that deserves to be read widely and carefully.

<sup>3</sup> E.g., Amborn (1987); Schneider (1990); and Streck and Zitelmann (1979).

## References Cited

### Amborn, Hermann

1987 *Differenzierung und Integration. Vergleichende Untersuchungen zu Spezialisten und Handwerkern in südäthiopischen Agrargesellschaften*. München: Trickster Verlag. (Notos – Ethnologische Studien, 1)

### Amin, Samir

1976 *Unequal Development. An Essay on the Social Formations of Peripheral Capitalism*. New York: Monthly Review Press.

### Bargatzky, Thomas

1996 *Embodied Ideas. An Essay on Ritual and Politics in Pre-Capitalist Society*. In: H. J. M. Claessen and J. G. Oosten (eds.), *Ideology and the Formation of Early States*; pp. 298–320. Leiden: E. J. Brill. (Studies in Human Society, 11)

2009 *Americanisms, Hispanisms, Nationalisms. Becoming Aztlán in the República del Norte?* In: M. Steppat (ed.), *Americanisms. Discourses of Exception, Exclusion, Exchange*; pp. 201–217. Heidelberg: Universitäts-Verlag Winter.

### Connor, Walker

1994 *Ethnonationalism. The Quest for Understanding*. Princeton: Princeton University Press.

### Emerson, Rupert

1966 *Nation-Building in Africa*. In: K. W. Deutsch and W. J. Foltz (eds.), *Nation-Building*; pp. 95–116. New York: Atherton Press. (An Athelung Book, 505)

### Engels, Friedrich

1972a *Einleitung (zu Karl Marx' "Klassenkämpfe in Frankreich 1848 bis 1850". 1895)*. In: Karl Marx, Friedrich Engels. Werke. Bd. 22; pp. 509–527. Berlin (DDR): Dietz Verlag. [3. Aufl.]

1972b *Zur Geschichte des Urchristentums (1894)*. In: Karl Marx, Friedrich Engels. Werke. Bd. 22; pp. 447–473. Berlin (DDR): Dietz Verlag. [3. Aufl.]

1978 *Engels an Joseph Bloch in Königsberg, London, 21. Sept. 1890*. In: Karl Marx, Friedrich Engels. Werke. Bd. 37; pp. 462–465. Berlin (DDR): Dietz Verlag.

### Friedman, Jonathan

1974 *Marxism, Structuralism, and Vulgar Materialism*. *Man* (N. S.) 9: 444–469.

1979 *System, Structure, and Contradiction in the Evolution of "Asiatic" Social Formations*. Copenhagen: National Museum of Denmark. (Social Studies in Oceania and South East Asia, 2)

### Gellner, Ernest

1983 *Nations and Nationalism*. Oxford: Blackwell.

### Godelier, Maurice

1978 *Infrastructures, Societies, and History*. *Current Anthropology* 19: 763–768, 771.

### Gramsci, Antonio

1975 *Il Risorgimento*. Torino: Editori Riuniti. (Le idee, 122)

### Harris, Marvin

1982 *America Now. The Anthropology of a Changing Culture*. New York: Simon and Schuster.

**Hübner, Kurt**

- 1983 Critique of Scientific Reason (Translated by P. R. Dixon, Jr., and H. M. Dixon.) Chicago: University of Chicago Press.
- 1985 Die Wahrheit des Mythos. München: Verlag C. H. Beck.

**Lenin, Wladimir I.**

- 1960 Über die nationale und die koloniale nationale Frage. Eine Sammlung ausgewählter Aufsätze und Reden. Berlin (DDR): Dietz Verlag. (Bücherei des Marxismus-Leninismus, 57)

**McLellan, David**

- 1972 The *Grundrisse* in the Context of Marx's Work as a Whole. In: P. Walton and S. Hall (eds.), *Situating Marx. Evaluations and Departures*; pp. 7–14. London: Human Context Books.

**Marx, Karl**

- 1960 Der achtzehnte Brumaire des Louis Bonaparte. In: Karl Marx, Friedrich Engels. Werke. Bd. 8; pp. 115–206. Berlin (DDR): Dietz Verlag.
- 1973 Der Bürgerkrieg in Frankreich. In: Karl Marx, Friedrich Engels. Werke. Bd. 17; pp. 313–365. Berlin (DDR): Dietz Verlag. [5. Aufl.]
- 1979 Das Kapital. Bd. 1 (nach d. 4., von Friedrich Engels durchges. und hrsg. Aufl. Hamburg 1890). In: Karl Marx, Friedrich Engels. Werke. Bd. 23. Berlin (DDR): Dietz Verlag. [13. Aufl.]

**Patterson, Thomas C.**

- 2009 Karl Marx, Anthropologist. Oxford: Berg Publishers

**Schneider, Ulrich**

- 1990 Verwandtschaft, Reproduktion und Produktionsweise. Aussagen der französischen marxistischen Anthropologie. München. [Unveröffentl. M. A. Arbeit; Ludwig-Maximilians-Universität]

**Sohn-Rethel, Alfred**

- 1965 Historical Materialist Theory of Knowledge. *Marxism Today* 9/4: 114–122.
- 1973 Intellectual and Manual Labour. An Attempt at a Materialistic Theory. *Radical Philosophy* 6: 30–37.

**Spittler, Gerd**

- 2008 Founders of the Anthropology of Work. German Social Scientists of the 19th and Early 20th Centuries and the First Ethnographers. Berlin: Lit Verlag. (Ethnologie: Forschung und Wissenschaft, 14)

**Stalin, Iosif V.**

- 1950 Der Marxismus und die nationale und koloniale Frage. Eine Sammlung ausgewählter Aufsätze und Reden. Berlin (DDR): Dietz Verlag. (Bücherei des Marxismus-Leninismus, 21)

**Streck, Bernhard und Thomas Zitelmann**

- 1979 Die Herrschaft der Blutsbande. Vorstudien zu einer Kritik der gentilen Produktionsweise. Lahn-Giessen: Focus-Verlag. (Argumentationen, 43)

**Judging Mohammed****France's "Color-blind" Juvenile Justice System on Trail – A Review Article**

Richard Derderian

Embedding herself for nearly a decade within France's juvenile justice system, Georgetown University anthropologist Susan Terrio offers an impressively researched and thoroughly readable insider account of an ominous development in France.<sup>1</sup> Since the mid-1990s, judges and prosecutors have increasingly abandoned an earlier conviction and commitment to a rehabilitative approach to juvenile justice. Incarceration and surveillance are now seen as the only solution to growing fears of insecurity centering on youth from recently settled ethnic minority populations. As youth delinquency and criminality have been recast as a problem of inassimilable immigrant communities, the French justice system has ratcheted up prosecutions and punishments imposed on minors of foreign ancestry. The disproportionate numbers of ethnic minority youth doing hard time not only represents the fundamental failure of the French legal system, but also the jettisoning France's heritage as the birthplace of human rights.

If cultural differences have become the chief culprit, Terrio explains in chapter 1 that new conceptions of delinquency are largely to blame. Magistrates, together with politicians and intellectuals across the political spectrum, no longer see delinquency as transitory transgressions in the lives of wayward youth. Delinquency is now encapsulated in the expansive and politically charged term "insecurity" and bound to the idea of alien populations permanently entrenched in neighborhoods divorced from mainstream norms and values. Instead of challenging fears of the new barbarians at the gates and defending basic rights and freedoms, sensationalist media coverage of ethnic minority criminality has only further enflamed political passions and popular demands for tougher law and order measures. Since the 1990s, French governments on both the right and left have responded by enacting legislation empowering courts to treat minors as adults and to

1 Terrio, Susan J.: Judging Mohammed. Juvenile Delinquency, Immigration, and Exclusion at the Paris Palace of Justice. Stanford: Stanford University Press, 2009. 354 pp. ISBN 978-0-8047-5960-1. Price: \$ 24.95.