Contemporary Sociology: A Journal of Reviews

Ten Major Theory Books Since 2000
Randall Collins

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What is This?

CRITICAL-RETROSPECTIVE ESSAYS

Ten Major Theory Books Since 2000

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Congedarsi dal mondo: Il suicidio in Occidente e in Oriente, by **Marzio Barbagli.** Bologna, IT: Il Mulino, 2009. 526pp. NPL. ISBN: 9788815127853.

The Opera Fanatic: Ethnography of an Obsession, by **Claudio Benzecry.** Chicago, IL: University of Chicago Press, 2011. 246pp. $29.00 paper. ISBN: 9780226043425.

Blood and Debt: War and the Nation-State in Latin America, by **Miguel Centeno.** University Park, PA: Penn State University Press, 2002. 329pp. $35.95 paper. ISBN: 9780271023069.

Against Essentialism: A Theory of Culture and Society, by **Stephan Fuchs.** Cambridge, MA: Harvard University Press, 2001. 380pp. $34.00 paper. ISBN: 9780674015968.

The Disciplinary Revolution: Calvinism and the Rise of the State in Early Modern Europe, by **Philip S. Gorski.** Chicago, IL: University of Chicago Press, 2003. 249pp. $30.00 paper. ISBN: 9780226 304847.

The Dark Side of Democracy: Explaining Ethnic Cleansing, by **Michael Mann.** Cambridge, UK: Cambridge University Press, 2005. 580pp. $28.99 paper. ISBN: 9780521538541.

Social Structures, by **John Levi Martin.** Princeton, NJ: Princeton University Press, 2009. 394pp. $27.95 paper. ISBN: 9780691127118.

Laughing Saints and Righteous Heroes: Emotional Rhythms in Social Movement Groups, by **Erika Summers-Effler.** Chicago, IL: University of Chicago Press, 2010. 237pp. $23.00 paper. ISBN: 9780226188669.

Body and Soul: Notebooks of an Apprentice Boxer, by **Löic Wacquant.** Oxford, UK: Oxford University Press, 2004. 274pp. $74.00 cloth. ISBN: 9780195168358.

Markets from Networks: Socioeconomic Models of Production, by **Harrison C. White.** Princeton, NJ: Princeton University Press, 2002. 389pp. $35.00 paper. ISBN: 9780691120386.

Network Theory Comes of Age

Social Structures is the best work yet in network theory. John Levi Martin takes on the problem of how networks change. Since all human society across history has consisted of networks, Martin asks what kinds of networks could grow from small groups into large organizations. The failed candidates, surprisingly, include most of our best-known network structures. A friendship circle or clique will not do, if we mean reciprocal choices among everyone; empirically, complete mutual liking is rare beyond very small numbers. Balance theory (the friend of my friend is my friend) works less and less well the further the links go; the negative version (the enemy of my friend is my enemy) is empirically often violated. Strong ties and balance theory provide a terrible model for politics and change, eliminating flexibility and strategy. How about

relaxing the requirement for reciprocity and building on one-way choices? This can produce a popularity tournament (some are more chosen than others); but empirically, popularity rankings tend to be vague in the middle, if clear about who is at top and bottom. The rigid version, a pecking order found in some animal species, does not exist among humans.

So far, neither egalitarian networks among the like-minded nor tight hierarchies provide the path to intentionally coordinated organization. For Martin, this is means transitivity: where something (information, orders, etc.) is propagated successively through the links of a network. What is needed is a network that will not fall apart nor lose its shape as it gets bigger. Martin settles on the wheel-and-hub structure, like the Big Man redistribution network when small kinship-based societies were transforming into chiefdoms. Initially it is voluntary, a prominent individual collecting attention, enthusiasm, and gifts from followers, and recycling them back to them in festive gatherings. The structure becomes political when it aggregates military force; if the coalition conquers others, it has more goods to redistribute. Wheel-and-hub (or patron-client) networks can be combined at higher levels, as each hub can become a spoke in a yet larger wheel (a higher chief) and so on. Martin's abstract theory fits the phase of history before the rise of strong states. What else was needed? Armies built on patron-client networks do not transmit orders well beyond one link in the chain; the more effective modern army becomes a bureaucracy, with command links from top to bottom. Here Martin meshes with the military-fiscal theory of the modern state; bureaucratic command structures provided a model for tax-extracting and then other administrative and civilian organizations, eventually displacing the patron-client form. Nevertheless, all the earlier structures that Martin shows do not go very far—small friendship cliques (etc.) continue to exist, but in a framework where large bureaucracies are the most enduring, self-replicating networks. Martin also shows the transformations that produced the modern ideological party; if we extend this category to the modern social movement, we have the major structures that contend with bureaucracies.

The main thing Martin leaves out is economic markets, because he has argued that exchange structures could not produce the structures he is looking for, transitive command hierarchies. The gap is filled by Harrison C. White (hereafter HCW), in *Markets from Networks*.

The simplifications of neo-classical economic theory do not begin to grapple with the complexities. It is not just that markets are embedded in other kinds of social networks. Markets themselves are networks. The conventional view of supply and demand assumes a completely connected network: all buyers examine bids from all sellers, then make their choice. HCW remarks that such markets exist only in lawn sales and swap meets, where the goods have already been produced. Goods come from production markets, and these are structured as upstream-to-downstream flows through relatively enduring networks of regular suppliers to regular customers. A certain amount of shopping around may go on in the supply chain, but if this were predominant, most things could not get produced. Restricted networks (i.e., ties as repeated transactions among the same actors) are essential for production markets to exist.

HCW does not assume producers fight it out to capture demand by delivering the lowest price. In the real world, there are a variety of market niches, differing by quality of product (especially as perceived through reputation and branding), and by supply and demand for different volumes. Formulating these dimensions as variables, HCW locates different kinds of markets in a space with four quadrants:

I. GRIND, where producers vie for buyers who are inflexible in their demand for volume and unconcerned about quality, relative to what it costs producers (e.g., cement). This is the closest to pure competition, the idealized conventional economics in which there are no differences in quality. More accurately, here big low quality producers drive out higher quality producers.

II. TRUST, where there is high demand per volume cost (favoring mass production)

but lagging demand for quality relative to its cost of production. Each quadrant has distinctive dynamics over time; this one tends towards cartel-like arrangements (trusts) among firms to divide up markets, or towards conglomerates.

III. UNRAVELING, where there is high demand for quality relative to cost of producing it, but lagging demand for volume relative to cost. Low-quality producers undercut others of similar volume, making the market unsustainable unless it moves toward guild structures fixing quality levels and restricting entry.

IV. NOVEL, even EXPLOSIVE, where the entire market becomes more profitable the bigger it is, through waves of buyer enthusiasm for cutting-edge products. The time-dynamics of such markets depend on further processes that HCW spells out but are omitted here for simplicity; suffice it to say that HCW illuminates the high-tech/personal-computer era better than any other theorist.

Economic action is seeking distinctive market niches, avoiding head-to-head competition and thus making profit. Both start-up entrepreneurs and existing producers monitor their competitors, to see where the demand is, and to judge where they can occupy an adjacent niche, sufficiently dissimilar in volume and quality cost. Production markets are not only upstream-to-downstream networks, they are also horizontal networks of mutually monitoring competitors, who are allies in sustaining an identity for their market. Both kinds of networks make all-out, atomistic competition impossible; empirically, HCW points out, each market settles into an array of a few big firms with a tail of smaller ones. HCW's four-quadrants model depicts not only where the niches are, but where profits are highest. It is potentially a theory of economic macro-dynamics as well, predicting volume and quality of production over time.

The chief drawback of HCW's theory is its mathematical complexity, which makes deriving prices much more difficult than in conventional economics. Thus far it is more of a sketch than a fully developed theory. The markets-from-networks approach is

a conceptual revolution on a par with Schumpeter and Keynes in the early twentieth century.

Stephan Fuchs provides a network-location theory of culture in *Against Essentialism: A Theory of Culture and Society*. What people believe, think, and say is variable, between societies, and within each one. Culture constitutes social entities, but there are no fixed units; all identities and boundaries are temporary crystalizations of networks in flux. This applies alike to organizations, states, groups, and down to individual selves in their essentialist mode as personalities. Whether they are perceived as real entities or fluctuations depends on one's network location.

First, networks vary between dense, redundantly connected, and bounded; and at the other extreme, complex, full of structural holes where every individual unit is surrounded by a unique configuration. High density networks produce worldviews that are highly conformist, dogmatic, reified, and particularistic; the local network recirculates the same messages so that they are utterly familiar and inescapable. Differentiated, far-flung networks produce views that are relativistic, reflexive, and abstracted from particulars.

On a second dimension, the network being observed can be close to the observer, or on a continuum out to very distant. When the observer is close, they perceive nuanced detail; when the observer regards a distant network, they see essences, natural kinds with sharp borders and rigid alternatives.

Although Fuchs does not explicitly say so, the two dimensions of network location can be combined to give four regions of cultural perception. (1) When the observer is in a dense network but looking at a distant network, they see the other through dogmatic myths, particularistic essences like ethnic or religious stereotypes—a tribalistic viewpoint looking out. (2) When the observer is in a differentiated network looking at it from close by, they see it as complicated, fluctuating, hard to pin down except temporarily and by aid of abstractions recognized as approximations only. This might be called the postmodernist lens. So far we have two opposite cultural experiences; the first resembles Durkheim's mechanical

solidarity, and the second sharpens Durkheim's unsatisfactory concept, organic solidarity. There are two further combinations.

(3) When the network is dense but the observer is close (i.e., observing one's own network), rigid essences dissolve into details of local action; the culture is gossipy. (4) When the network location is differentiated but the observer is looking at a distant network, the object becomes rigidified into ideological categories—the sophisticated observer in an essentialist mode.

Officials—those who act as Goffmanian frontstage spokespersons to outsiders—distort the reality of their own organization by presenting it in the language of idealized essences; formality comes at the borders. Fuchs uses evidence of conversational analysis to show that consensus is constructed as a statement to outsiders. Individuals are constructed (in good symbolic interactionist fashion) by their conversations with others and by recirculating conversations with oneself in thought; the individual self adopts the categories in that network's talk to communicate about oneself. The extent to which people are individuals is a variable outcome of observations made from different locations. A "leader" is a construct that officials use when they want to attribute merit or blame, rather than explaining the complexities of what the entire network actually did. Behind the outward-facing facade, the inner structure of any group is more turbulent, the closer one looks at it.

Fuchs and HCW present an omni-network view of social life. Fuchs grounds his argument more in the sociology of science and interactionist micro-sociology, and HCW in production markets and high culture. If you want to grapple with White's *Identity and Control*, his most general statement, you might start with Fuchs first.

Classics Advanced

Congedarsi dal mondo: Il suicidio in Occidente e in Oriente brings Durkheim's classic work on suicide forward one hundred years, using world-wide data in place of Durkheim's nineteenth century Europe and pushing the time-scale back to the Middle Ages. Marzio Barbagli continues to find Durkheim's three kinds of suicides

(egoistic, anomic, altruistic) but in different cultural contexts.

Egoistic suicide, for Durkheim, indicates weakening solidarity of high density social groups, especially family households. Barbagli points out suicide rates were very low in medieval Christian Europe, but homicides were very high. The church strongly condemned suicide, punishing the survivors by tabooing the place and ritually destroying the suicide's property. Suicide and homicide rates flipped over around 1600–1700, coinciding with growing state monopolization of force and penetration into society. This explains the falling homicide rate, first in northern European, then in southern and Catholic regions, following the growth of state power. But why did the suicide rate rise? Fortified patrimonial households (the bases for vendettas) were replaced by remote state controls over behavior, setting in motion the long decline of household solidarity that Durkheim saw as a key to egoistic suicide.

Anomic suicide was evidenced, in Durkheim's view, by outbursts of suicide in times and places where economic growth and political liberalization were suddenly interrupted. It is not static conditions of poverty and oppression that cause suicide, but dramatic reversals for persons who have become used to an expanding horizon of desires. Barbagli supports this pattern, too; there were rapid rises in suicide in the ex-Soviet societies of the 1990s— but also in China, showing that the disruption of socialism was the cause, rather than economic growth or decline per se.

Barbagli vastly elaborates altruistic suicide, using data on Asian societies. For Durkheim, altruistic suicide was chiefly military, in an organization submerging the individual into a collective identity; this not only motivated self-sacrifice for the group, but feelings of honor were so strong that small affronts caused killing oneself. In Durkheim's data, suicide was largely male, but Durkheim did not have much of a theory of gender. Barbagli emphasizes the predominance of female suicide in India and China. Indian *sati*, widow suicide on her husband's funeral pyre, was not an old religious tradition, but a movement peaking around 1650 to 1870. *Sati* grew in mass-participation,

non-Brahmin Hindu religions of emotional devotion, where it was a way for wealthy but non-elite families to claim higher social status. Widows went along, in part because their lives were meager and in part because *sati* made them the center of ritual attention. And since Muslims prohibited suicide—and were the conquerors of much of India at this time—*sati* was a form of rebellion against the overlords, with women playing the central role.

In early modern China, too, women predominated in suicides. This was done especially to bring shame and vengeance upon a man who dishonored her, sexually or otherwise. Here again state penetration plays a role. Chinese state bureaucracy was mostly content to rely on Confucian rituals to keep order in households, but magistrates would step in when a male head of household appeared to be lax, especially with women servants. Suicide was a weapon of the weak, taking advantage of the ritual liabilities of the strong.

The rise on suicide bombing is a late twentieth century practice, spreading against tradition in Islamic societies, where suicide rates are typically low. But suicide bombing is the most reliable way to cause casualties in guerrilla war, so doctrinal adjustments have been made. Muslim women have found opportunities here, since suicide bombing requires deceptive normalcy and a clandestine approach rather than macho aggressiveness. Again, suicide provides oppressed women with an opportunity for status mobility. Barbagli's non-Western cases expand Durkheim's altruistic suicide to conflict and resistance for those who feel themselves oppressed.

Durkheim analyzed suicide as a quantitative index of changes and strains in social structure. Barbagli's vast extension broadens our picture of such dynamics world-wide. This great book is now being translated by Polity Press.

Weber is here taken in a new direction—Philip Gorski in *The Disciplinary Revolution: Calvinism and the Rise of the State in Early Modern Europe* presents two prototypes of the early modernizing state, both driven by radical Protestantism, enforcing constraint from the outside while inculcating it within. The sixteenth–seventeenth century Dutch are modernization from below, in towns and parishes with their workhouses for the poor, and their church elders disciplining sinners for all manner of misbehavior, denounced by rumor and hearsay. It is republican in the sense of community control, all the tighter for its snoopy intrusiveness. Prussia in the seventeenth–eighteenth centuries is closer to the state-centered model of penetration from above; everyone is inscribed on the rolls of the state through military conscription, compulsory education, and the church as the local level of overseeing bureaucrats.

Gorski calls it a disciplinary revolution, instead of Elias' civilizing process and Foucault's regimes of everyday power. Gorski has a better causal mechanism: the state (whether decentralized republic or centralizing bureaucracy) combining with a psychologically penetrating religion. Throwing off the easy-going ritualism of medieval Christianity as it affected the laity, ascetic Protestantism leads the way to modernity. But it is not a linear progression. Gorski's epoch is an Orwellian horror, combining the most oppressive features of medieval patrimonial hierarchy with modern bureaucratic impersonality. Weber's iron cage may have been more political than economic; be thankful that later modernity relaxed its icy hand.

State-centered Theory

Miguel Centeno's *Blood and Debt: War and the Nation-State in Latin America* gives an important negative comparison for the military-fiscal theory of the modern state. Latin American states mostly did not fight external wars. Hence they did not go through the revolution of massive (and expensive) militaries; did not engage in much tax extraction nor build up the bureaucratic apparatus for state penetration. The result has been weak and unmodern states, with lower levels of patriotic identification. And bad results for democracy, too, since the military has mainly been used for domestic factional politics and thus has been divisive rather than unifying. Centeno gives the best explanation of Latin American political development, and a neat confirmation of the effects of the military-fiscal pathway.

In *The Dark Side of Democracy: Explaining Ethnic Cleansing*, Michael Mann, one of the progenitors of the military-fiscal theory of the state (along with Tilly and others) turns his attention to the conditions for genocide. It is a shocker: mass extermination of ethnic aliens is modern, not traditional; and it is especially characteristic of the early expansion of democracy. Traditional autocracies were happy to incorporate ethnic and religious diversity; they lived by divide-and-conquer, practiced indirect rule through local notables, and regarded aliens as so much more labor to exploit. The greater caging of populations in the nation-state demanded more homogeneity; and the populist ideology of rule by the people made those who divide us into enemies, even non-humans to be expelled or exterminated. Particularly aggressive have been settler democracies, on frontiers like the American West or Australia, where native tribes were of no use as labor for pioneering farmers. Mann surveys all the major cases of genocide and gives a multi-factor theory of sequential conditions pushing to the brink, and over. Today's mature democracies are lucky to have their genocides behind them. Mann's theorizing is unshrinkingly realistic. Tell it like it is; and learn what sociological lessons we can.

Micro-theory

Emotions are what energize social movements. A good way to show this is not at moments of enthusiasm when membership is rising and contributions come flooding in, but when the movement is failing. In *Laughing Saints and Righteous Heroes: Emotional Rhythms in Social Movement Groups*, Erika Summers-Effler provides ethnographies of two perennially failing organizations to find what keeps them going. An anti-death-penalty movement survives on righteous anger, as small bands of demonstrators face an unsympathetic public who scorns and spits at them. Thrilling risk and solidarity of confrontation makes them stronger; harassing prosecutors and officials give them dangerous peak moments; better a dramatic failure than slow boredom. Their repertoire of evoking righteous heroism is a resource to keep recovering from failures,

even though it takes its toll on the core members who do the scut-work at the SMO.

Even more consistently failing is a Catholic Workers house, dedicated to sharing the lot of the urban poor while trying to raise them spiritually and materially. Not only is the house frequently on the brink of starvation, but the derelicts it takes in off the streets steal their supplies, deal drugs from the house, and disrupt the dedicated atmosphere; kicking out the failed rescues is purgatory too, a painful experience because the Catholic Workers know it is against their doctrine of unquestioning acceptance of the poor. Yet they survive their crises: typically when a distraught meeting bursts into contagious laughter, washing away the tensions, re-energizing them, even letting them interpret their scraping-through as divine miracles of Zen-like ineffability. There is organizational tension here too: the full-time Catholic Workers are skeptical of well-meaning volunteers who make donations and come to help. These laughing saints operate at a meta-awareness of emotional rhythms which is their secret of resilience; the volunteers have simpler emotions of sympathy and seriousness that easily burn out. Emotional repertoires, Summers-Effler theorizes, set the speed and tempo of social movements across time. Her work echoes Weber's two types of innerworldly religion: ascetic (seen in Gorski's disciplinarians), and mystical, whose survival in non-authoritarian, non-moralistic movements has helped to make the modern world livable.

Löic Wacquant's *Body and Soul: Notebooks of an Apprentice Boxer* is perhaps the best yet sociology of the body—its theorizing is less explicit than is the acuteness of the observations. In this south Chicago ghetto gym, everything happens to the three-minute rings of the trainer's bell: bag-punching, rope-skipping, sit-ups, sparring in the ring. Most of this could be done at home, but it only becomes effectively internalized when the boxer does it in the three-minute collective rhythm; when the number of boxers present in the gym falls too low, the energy doesn't take off; when the gym is too crowded, the shared rhythm is drowned out. Above all the boxer is training to see with his whole body. Wacquant the novice boxer steps into the ring feeling like a slow-motion

astronaut in a space suit; only after months of training does he begin to catch the rhythm shared with his opponent and to see the fist before it hits him. The trainer is adamant that boxing cannot be learned from a book; to even think of moving your feet according to a diagram messes you up. Like learning to speak a foreign language, throwing oneself into the rhythms of social interaction is the only way to real membership. Put another way: membership is in the fluidness of the rhythms.

The Opera Fanatic: Ethnography of an Obsession liberates us from Bourdieu's reductionist theory of taste as an internalized sense of parental social position. Claudio Benzecry's opera fanatics scramble for the cheap seats at the top of the house, scorning the rich patrons whom they view as merely turning money into cultural impressiveness. The opera fanatics receive no prestige for their obsession, attending every perfor-mance so they can compare the nuances of the arias—indeed they feel like pariahs. No matter; through gossiping with their co-fanatics, and by attuning their own bodies, they have learned how to resonate their breathing, ears, brain, blood-stream with the vibrating sound waves that make them melt in aesthetic ecstacy. Benzecry is at his best in describing the bodily strategies they have acquired for the production of the peaks of taste experience: although prepared by networks, they close their eyes, get their bodies into the right position, and dive into it alone. Again body, attunement, emotion. Benzecry's vision of socially prepared solitudes opens a way for sociology to do justice to the things people love.

Reference

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Highlights in the Sociology of Law: Globalizing Law and Penalizing Human Rights Violations

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Female Genital Cutting: Cultural Conflict in the Global Community, by **Elizabeth Heger Boyle.** Baltimore, MD: Johns Hopkins University Press, 2002. 188pp. $26.00 paper. ISBN: 9780801882630.

Peculiar Institution: America's Death Penalty in an Age of Abolition, by **David Garland.** Oxford, UK: Oxford University Press, 2010. 417pp. NPL. ISBN: 9780199594993.

Justice in the Balkans: Prosecuting War Crimes and The Hague Tribunal, by **John Hagan.** Chicago, IL: University of Chicago Press, 2003. 274pp. $29.00 cloth. ISBN: 0226312283.

Bankrupt: Global Lawmaking and Systemic Financial Crisis, by **Terence C. Halliday** and **Bruce G. Carruthers.** Stanford, CA: Stanford University Press, 2009. 505pp. $29.95 paper. ISBN: 9780804760751.

The Legacies of Law: Long-Run Consequences of Legal Development in South Africa, 1652–2000, by **Jens Meierhenrich.** Cambridge, UK: Cambridge University Press, 2008. 385pp. $95.00 cloth. ISBN: 9780521898737.

The Frankfurt Auschwitz Trial, 1963–1965: Genocide, History, and the Limits of the Law, by **Devin Pendas.** Cambridge, UK: Cambridge University Press, 2006. 340pp. $90.00 cloth. ISBN: 0521844061.

American Memories: Atrocities and the Law, by **Joachim J. Savelsberg** and **Ryan D. King.** New York, NY: Russell Sage Foundation, 2011. 238pp. $37.50 cloth. ISBN: 9780871547361.

The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics, by **Kathryn Sikkink.** New York, NY: Norton, 2011. 342pp. $27.95 cloth. ISBN: 9780393079937.

Eight selected English language monographs from the sociology of law, published after the year 2000, focus on three thematic areas: globalization of law, human rights law, and penal law. ''Sociology of law'' here means work that speaks to conditions and consequences of legal action, despite the authors' disciplinary background or affiliation. Two books by political scientists (Meierhenrich, Sikkink) and one by an historian (Pendas) are included. Covering them may inspire sociologists to turn their attention to the promising fields on which this essay focuses. Too many have neglected, in line with sociology's historic focus on the nation state, transnational aspects of law and human rights law that challenge the notion of state sovereignty. This effort simultaneously suggests what sociology proper may add to related work by scholars in neighboring disciplines. A 6,000 word review cannot do justice to these books in their entirety. I highlight those aspects that promise synergy.

A Global Justice Cascade – and a View of One International Court

Kathryn Sikkink's *The Justice Cascade*, written for a broad audience and recipient of the 2012 Robert F. Kennedy Book Award, documents that prosecutions against individual human rights perpetrators in domestic, foreign, and international courts increased almost exponentially in the past three decades. Importantly, most international human rights law is being implemented by

domestic courts. Further, the new International Criminal Court (ICC) is bound by the complementarity principle, meaning that domestic courts have primary jurisdiction as long as they are able and willing to pursue cases. Domestic courts, however, operate "in the shadow" of the ICC, and they apply international law. Sikkink poses three basic questions, and each is tackled in a separate part of this remarkable book: how to explain the origins of the use of criminal law for human rights perpetrators, especially the application of individual criminal accountability; how to explain the spread and diffusion of these new norms; and what about the consequences? Empirically the work is based on Sikkink's intimate knowledge of cases and actors around the globe, resulting from decades of practical and scholarly involvement in the human rights field, and on a new Transitional Trial Data Set.

While not discounting Nuremberg and Tokyo, Sikkink sets the stage with more challenging cases that did not result from military defeat. Her detailed studies of Greece (1975), Portugal (1976), Spain (1975–78) and Argentina (1985) show that trials were most likely in cases of "ruptured" (Greece, Portugal, Argentina) as opposed to "pacted" (Spain) transitions; when regional opportunity structures were favorable (the European Court of Human Rights had been created and Amnesty International [AI] had been founded and was actively involved in Greece); and in the context of a supportive international legal environment (the 1975 "Torture Declaration" was adopted by the UN General Assembly just a few months after the Greek torture trials concluded). By the 1990s, conditions had changed. "Ruptured" transitions were no longer a prerequisite for criminal trials against human rights perpetrators (e.g., Guatemala, Chile, and Uruguay). The institutionalization of the human rights regime had progressed, and the fear of blowbacks had diminished in light of experiences from the 1970s.

The new penal model diffused through publications, the media and individuals, more precisely the networks in which they operate, and the "human chains" that link early national experiences (especially Argentina) with other parts of the world in later periods. The "justice cascade" eventually led to the emergence of a decentralized, interactive system of global accountability, challenging national sovereignty, when three streams merged: (1) international prosecutions, from Nuremberg and Tokyo via the International Criminal Tribunal for the former Yugoslavia (ICTY) and its equivalent for Rwanda (ICTR) to the ICC with its jurisdiction over cases of aggression, war crimes, crimes against humanity, and genocide; and (2) domestic and foreign prosecutions such as the Greek, Portuguese, Argentinean cases of the mid-1970s and the Pinochet case (1998–99). In addition, a "hard law streambed" led from the Genocide (1948) and Geneva (1949) to the Apartheid (1980) and Torture (1987) conventions, then via the Inter-American Convention on Forced Disappearances (1996) to the Rome Statute (1998) that established the ICC. Sikkink shows how individuals, associations, transgovernmental networks, penetrated by an epistemic community of criminal law lawyers, and NGOs such as Human Rights Watch (HRW) and AI, achieved the progressive institutionalization of individual criminal liability, that is, *criminalization* and *individualization* of international law.

Sikkink finally addresses skeptics of international criminal justice. Statistical analysis of her Transitional Trial Data Set suggests that prosecutions of human rights perpetrators, including high-level actors, do not systematically produce counter-productive consequences. They may in fact advance later human rights and democracy records, especially where trials are accompanied by truth commissions. Sikkink argues that deterrence and cultural or socialization mechanisms, such as collective memories created by human rights trials, are likely to contribute to this effect. She admits to one weakness of the human rights movement: the relative (albeit not unchallenged) immunity of the United States to efforts at holding leading American actors criminally accountable for grave human rights violations.

John Hagan's *Justice in the Balkans* zooms in the lens to examine the building of the ICTY, one crucial international institution that assigns individual criminal accountability. Based on survey data collected in the ICTY's Office of the Prosecutor, 100 in-depth

tape-recorded interviews, trial observation and analysis of trial transcripts, Hagan also finds that individuals matter, and the reader becomes closely acquainted with many central actors in The Hague. Not accidentally, some, such as Cherif Bassiouni and Aryeh Neier, fare prominently in both Hagan's and Sikkink's books. Hagan simultaneously places special emphasis on the charisma of these individuals, while recognizing that charisma results from collective action. This insight points toward networks in which actors are embedded, another similarity to Sikkink, and through which many are recruited. And individuals move through time, as Sikkink illustrates for Luis Moreno-Ocampo's journey from the Argentinean trials to the ICC, and Hagan shows in a pre-ICTY excursus, for Ben Ferencz's move from Nuremberg to later institutions concerned with the restitution of Jewish survivors. Hagan's later work with Wenona Rymond-Richmond follows criminal investigators' journeys from the ICTY to work on the Atrocities Documentation Survey in the Darfurian refugee camps in Chad (Hagan and Rymond-Richmond 2008).

Still, Hagan's lens and theoretical angle differ from Sikkink's. He cites earlier work by Yves Dezalay and Bryant Garth (1996), especially their identification of a newly autonomous ''transnational legal field'' that joins the ''agency of human rights activism'' with international humanitarian law. This Bourdieuian perspective provides readers with an appreciation of the conflicts between the new legal field and traditional foreign policy, marking the growing autonomy of the former, but also conflicts within the new legal field over media attention, funding and political influence.

Hagan develops these arguments through a series of chapters that tackle specific incidents in the Yugoslav wars, the siege of Sarajevo, the genocidal atrocities of Srebrenica and the rape campaigns in the town of Focca. These cases correspond with regimes of different chief prosecutors and other crucial actors, each of whom brought a distinct type of capital to the ICTY: from Cherif Bassiouni's ties to the MacArthur and Soros foundations (the latter led by Aryeh Neier, the founder of HRW), convincing them to fund the building of an atrocities

documentation center in Chicago; via Richard Goldstone, the first chief prosecutor, securing funding and evidence through his international connections (yet all but failing to secure the arrest of suspects and thus building a ''virtual tribunal'' with ''in absentia'' trials); on to Louise Arbour, the ''entrepreneurial'' and ''charismatic'' Canadian jurist, who brought prosecutorial expertise and creativity to the tribunal, using innovative methods such as ''sealed indictments,'' and thus securing numerous arrests. Her skills were decisive in creating structural linkages (formed with militaries to obtain arrests), cultural legitimation (mobilizing cultural schema via media to promote ideas of international criminal law against the notion of state sovereignty) and temporal control (through her attempted border crossing into Kosovo to observe fresh crime scenes, broadcast around the globe). Cultural schemas and resources reinforced each other, allowing charisma and agency to produce enforcement of norms in the framework of liberal legalism. Attributing individual criminal liability indeed succeeded. The central actors were indicted. Hagan's study shows in great detail the social prerequisites of such success and one crucial mechanism underlying Sikkink's justice cascade.

Cultural Consequences of Legal Interventions: Collective Memories of Evil

Legal interventions against gross human rights violators have thus shown impressive successes. But do these victories indeed secure human rights? Consider the two causal mechanisms Sikkink discusses: we know little about deterrent effects, but historians and sociologists have begun to explore cultural consequences of trials, especially for the construction of representations and collective memories. Devin Pendas takes a cautious view in his historical study *The Frankfurt Auschwitz Trial* (his subtitle refers to the limits of the law). This book provides the most fascinating detailed analysis to date of the most expansive German Holocaust trial. After introducing the basics of German substantive and procedural criminal law and the central actors, Pendas guides the reader from the indictment, via

the opening moves, the taking of evidence, the closing arguments and the judgment to public reactions. The content is not accidentally organized along the trial's procedural steps. Without losing sight of the political context and extrajudicial forces, Pendas reminds us that there is reason to take ''law on the books'' seriously even while studying ''law in action,'' as the former might directly or indirectly, by affecting the ''social structure of the case'' (Black 1993), provide the strategic frame within which actors apply tactics to advance their goals.

A more precise sub-title, however, would have referred specifically to the limits of *German* criminal law. The German government had annulled the occupation (Control Council) law in 1956 with its criminal categories such as ''crimes against humanity'' and its sentencing guidelines, including the death penalty. The Basic Law, while acknowledging the supremacy of international law, prohibited ex post-facto prosecutions. ''Genocide'' could only be prosecuted for future cases. The Frankfurt court thus relied on standard German criminal law, created with crimes in mind that differed radically from those committed in the context of the organized annihilation machinery of Nazi Germany. This law was limited by its strict Kantian focus on subjective intent and its distinction between perpetrator and accomplice (the latter considered a tool rather than an autonomous actor in the execution of the crime). This type of law, Pendas shows, was ill-suited for covering the complex nature and the organizational context in which crimes were committed, especially the systematic annihilation of millions. Instead, prosecution was successful in particular cases of especially atrocious actions, such as brutal acts of torture during interrogations, in which malicious intent could be documented and where defendants could not present themselves as tools of the will of others. Historian Michael Marrus (2008) actually shows similar limitations for the Nuremberg ''Doctors' Trial'' conducted by American authorities under occupation law, indicating the validity of Pendas' insights beyond German law.

Legal constraints thus limited the trial's representational, and also its juridical functions, frustrating the pedagogical intent

with which Fritz Bauer, Prosecutor General of the state of Hessen, had advanced these collective proceedings against 22 defendants. Inspired by the Eichmann trial in Jerusalem of 1961, he sought a large, historical trial that would stir the collective conscience, increase awareness and instill in the collective memory of Germans the horrific nature of the Nazi crimes. He partly succeeded, but only within the limits of the law that directed attention to those lone actors who had engaged in particularly excessive cruelty beyond the directives under which they worked in the Nazi extermination machine. While Nazi crimes thereby came to a public and terrifying display, the trial paradoxically helped Germans to distance themselves from these crimes. Perpetration appeared, in the logic of the Auschwitz trial, as either the outgrowth of sick minds or executed in the context of a machinery, set up by Nazi leadership, in which ordinary Germans acted without or even against their own will.

The German case thus illustrates with particular clarity what Bernhard Giesen (2004) elsewhere has called the ''decoupling'' function of criminal law. While his argument applies to criminal law generally, Pendas shows that and how the specifics of law matter. Comparative studies within the rich array of legal interventions included in Sikkink's Transitional Justice Data Set, of cases of international criminal justice like the ICTY examined by Hagan on the one hand and national trials under common criminal law, such as the Frankfurt trials, on the other should yield future insights into the *variable* potential of criminal law to fulfill its juridical *and* representational functions.

Like Pendas' book, Joachim Savelsberg and Ryan King's *American Memories: Atrocities and the Law*, recipient of the 2012 Outstanding Book Award of the Society for the Study of Social Problems' Theory Division, examines representations and collective memories created by legal proceedings. This book, however, does so with a focus on the United States, a powerful player in international relations that has kept cautious distance from Sikkink's ''Justice Cascade.'' Content analysis of news media, history textbooks, and a comparative review of memorials and memorial days reveal

distinct patterns: ICTY proceedings, heavily promoted by the United States, contributed to a representation of the Yugoslav wars in American media reporting in which Yugoslav government leaders are remembered as perpetrators and the acts of violence as grave violations of human rights, war crimes, crimes against humanity, and genocide.

Yet cases against American perpetrators are rare, and they focus on a few low-level actors. The My Lai massacre of the Vietnam War, for example, was culturally processed through famous journalistic work by Seymour Hersh, an Army commission, and a criminal trial. Despite high expectations, the case is represented only in forty percent of post-Vietnam era American history textbooks, and the dominant depictions reflect the institutional logic of the law in ways that de-dramatize. Only one relatively low-level perpetrator is named (the one convicted in trial); responsibility of higher ranks is rarely mentioned (against insights by the Army Commission); the number of victims is downplayed (in line with that listed in the indictment); and the attempted cover-up on which no conviction was achieved is generally omitted. Such selective memory plays, via analogical bridging, into later trials like those against U.S. perpetrators during the Iraq War. The book thus supports Pendas' stress of ''the limits of law'' while further specifying their conditions and demonstrating that these limits are not specific to German law.

Furthermore, the focus on low-level actors causes legitimatory challenges and motivates movement organization against trials. Aggregating to the macro-level of collective representation and memory, American trials deposit guilt on the shoulders of a few, exculpate the majority, and promote Americans' unparalleled pride in their military, with potentially problematic consequences for human rights. In addition, America's resistance to liberal international justice and its bi-lateral immunity agreements, reflective of its power in international relations, set clear limits to the autonomy of the international legal field explored by Hagan.

Analyses of collective representations and memories produced in judicial proceedings still partially support the cultural pillar of Sikkink's optimism. Rituals of law may cement atrocities in historic memory, possibly safeguarding against future human rights violations. Yet, memories produced by trials are filtered through the institutional logic of law (and the political constraints imposed on law), distorted thus from the perspective of other institutions. In addition, as Savelsberg/King show in a concluding comparative chapter, a country's regime stability versus rupture and its position in the international community constrain law's capacity to shape representations and memories so as to safeguard against future violations. This insight is not limited to the United States.

Trans-National and National Conditions of Transitions, Law, and Human Rights

Just like the nature of a nation's legal codes and its standing in international relations matter for the chances that legal interventions produce preventive memories of grave human rights violations, as Pendas and Savelsberg/King show, so do other national features affect transitions to democracy and the promulgation and implementation of law generally and human rights regimes specifically.

Jens Meierhenrich powerfully tackles the case of transitions. *The Legacies of Law*, recipient of the Woodrow Wilson Foundation Award of the American Political Science Association, focuses on, as the subtitle explicates, *Long-Run Consequences of Legal Development*. It highlights one specific domestic condition, the history of legal rules and institutions and their path dependent impact on the democratization process that rid South Africa of apartheid rule. While Meierhenrich shares with Sikkink an interest in transitions that do not result from external defeat and a concern with actors driving the process, his domestic argument is diametrically opposed to her focus on international networks. Also, the world of human rights movements and transitional justice mechanisms plays little role in Meierhenrich's argument.

Instead, in *The Legacies of Law* rational actors make strategic decisions in an uncertain environment, in which turmoil, massive

bloodshed, loss of power, expatriation, and diverse political outcomes were at least as conceivable as the democratic rule that did in fact emerge. Meierhenrich puts to use the classic, albeit much neglected work on the ''dual state'' by Ernst Fraenkel, a prominent labor lawyer during the Weimar Republic, who experienced the rise of Nazim before his emigration to the United States. Dual state in South Africa means a state in which Max Weber's ''formally rational law'' is applied in the world of the white oligarchy (normative state) and ''substantively irrational law'' in that of the disenfranchised majority (prerogative state). Central to the message of his book, Meierhenrich argues further that in ''apartheid's endgame, the memory of formally rational law—and agents' confidence in its past and future utility...created the conditions for the emergence of trust between democracy-demanding and democracy-resisting elites'' (p. 4). Representations and memory created by past legal action matter, even if the memory literature is not put to use here like in work by Pendas and Savelsberg/King.

Theoretical chapters are followed by the empirical core, rich with analytic narratives that tie together rational action with cultural arguments. Two chapters address the emergence of the apartheid state. A detailed analysis of jurisprudence suggests that ''many trials and appeals exhibited fidelity to the law'' (p. 167), but much of this fidelity was limited to white commercial activity, while the state was only ''weakly constrained'' (p. 171) by law. Yet, even substantively irrational law at times took rational forms, when it was *systematically* oriented toward the maintenance of extra-legal goals: racial discrimination and the apartheid state. Memory of law's reliability then became crucial in apartheid's endgame, addressed in the subsequent two chapters. The regime destabilized due to the breakdown of the Portuguese colonial empire (leading to a collapse of political and military support from surrounding countries), a severe economic downturn, mounting resistance and insurrection in the townships, and finally the transition of leadership from P.W. Botha to F.W. de Klerk and the accompanying transition within the National Party. Under resulting conditions of massive uncertainty,

the legacies of law now instilled in actors, including Nelson Mandela, guarded confidence in the promises and actions of their opponents with whom they found themselves in intense and contentious negotiations over the transition to a new South Africa.

In the end, Meierherich opposes Sikkink in yet another and fundamental way: ''The transition from retributive justice to restorative justice...cleared the way for iterated cooperation in the endgame. The absence of retribution created conditions for cooperation, and removed incentives for confrontation'' (p. 268). Is the South African case unique? Clearly Meierhenrich's is a single case study (despite a comparative excursus on Chile). While he claims broader validity for his central theoretical arguments, how does his argument stand up against the many successful transitions documented in Sikkink's data set? Did the legacies of law always support all of them? Did other forces serve as functional equivalents? Many questions remain, and the juxtaposition of these two books produces potential for productive conflict in a field of study that is about as new as the phenomena it sets out to study.

Meierhenrich is not the only scholar, of course, who directs light on national conditions. Even work in the tradition of sociological neo-institutionalism, with its focus on global scripts, offers insights into national particularities that shape law and human rights.

Elizabeth Heger Boyle, in *Female Genital Cutting* (FGC), starts from a neo-institutional framework but incorporates nation-level, local and individual conditions. She examines not transitions but an agenda of legal change that many frame in human rights terms and its consequences. Her case is the global campaign against the practice to which her title alludes and its impact especially in several African countries—also in the global North.

Boyle's book is organized by levels of analysis, beginning at the macro level of the international system, and then moving via the national to local and individual levels. To Boyle the world of institutions is conflicted, and conflict between institutionalized principles is a central driving force of change. The case of female genital cutting

provides "a story of individual rights discourse conquering first national autonomy and then family inviolability" (p. 42). Individualization and diminishing state sovereignty are themes that this account shares with Sikkink's. Individuals no longer exist to serve their nations and families. Instead the latter are seen as potential sites for the repression of individuals and the violation of human rights. The personal fulfillment of individuals trumps claims of collectivities in the international system.

These changes were driven by NGOs that aggressively pushed coercive reform, at least at the outset. They were also advanced by IOs, initially favoring assimilative reform. Their caution is not surprising as IOs are constituted by states that have their sovereignty to defend. Yet the United States, where a strong civil society guides the hand of the government, and where anti-FGC actions were primarily directed at targets outside the country, pursued a coercive path, tying international aid to FGC reform.

International organizing was followed by a diffusion process, in which Western nations acted first, especially former colonial powers. Their lead is not surprising as these countries engaged in symbolic politics with little cost or resistance at the domestic level but prospects to advance their position in the "hierarchy of lifestyles" (Gusfield 1986). Countries in which FGC is in fact practiced followed growing pressure from the West, especially after the United States threatened sanctions. Where the practice is widespread and popular resistance to be expected, administrative decrees introduced restrictive policies. Egypt under the Mubarak regime is a prime example. (In 2012 the regime was ousted by the country's populace, which its government had too often offended in order to please the international community—neo-institutionalists have yet to consider the lessons).

Acknowledging countries' structural positions in diffusion processes is common in neo-institutional work. But Boyle goes further. She observes variation in the meaning of national policies even when they do adopt anti-FGC policies. Functionality (or relevance) of the practice and the country's international standing are crucial. Egypt,

characterized by high functionality of FGC and a position of relative power within the international community, experienced substantial contestation of initial steps toward regulation. Government responses were repeatedly modified. Legislation per decree was eventually required to satisfy Western donors and the international community. Implementation under these conditions is limited. Tanzania, on the other hand, with lower functionality and a weaker position in international relations, adopted the policy less hesitantly, but cautiously using relatively universalistic terms to justify it and avoid the impression of bias. Yet, anthropologists working in local settings report that here too the implementation of restrictions is lacking in those areas of the country where the practice is well established. Here too decoupling is clearly at work.

Adaptation of anti-FGC policies thus varies in timing, intensity, and quality. In addition, individual-level factors affect the degree to which policies influence the attitudes and practices of local women, as an analysis of Demographic and Health Survey data shows. Religion, college education, and exposure to mass media interact in fascinating ways to affect women's willingness to change traditional practices.

While concerned neither with democratic transitions nor human rights issues, Terence Halliday and Bruce Carruthers also address legal change between the national and global. Their *Bankrupt: Global Lawmaking and Systemic Financial Crisis*, based on hundreds of interviews, conference observations, and analyses of changing drafts of policy statements over the course of several years, is a recipient of three ASA section awards (Economic, Global and Transnational, Law). It takes a more decisive step away from prioritizing global culture than does Boyle's book. And yet, three chapters are dedicated to efforts by international actors such as clubs of nations, financial institutions, governance organizations, associations of professionals or core nations, to shape insolvency law after the 1997–98 Asian Financial Crisis. These efforts sought to establish a global institutional-legal foundation on which rational market participants can operate and global markets function (akin to the role of law for Meierhenrich's

participants in South Africa's transformation). The authors take culture seriously, but they see limits in the world polity approach, criticizing its strong focus on global scripts and norms while highlighting the roles of power and inequality in the buildup of policy responses. They introduce and draw inspiration from three additional theory frames with greater empathy for the asymmetries of global lawmaking: world systems (stressing dominant economic actors), postcolonial globalism (focusing on dominant nations and institutions at the global center), and law and development. Yet, critical of these approaches' "reified and unitary concept of the 'global'" (p. 6), Halliday/Carruthers seek to open up the "black box in which global norms are debated and decided" (p. 7).

Halliday/Carruthers build an analytic field along two dimensions: balance of power and cultural and social "distance" between the global and the local. They explore this field through three in-depth case studies of Indonesia, South Korea, and China, dedicating a chapter to each. The imbalance of power was greatest in the case of Indonesia with its substantial economic vulnerability in 1997 and limited geopolitical significance. International pressure to bring its institutions in line with global norms was considerable. Yet after the 2011 terrorist attacks, the U.S. government relaxed pressure for commercial legal reform as it sought Indonesian collaboration in the fight against terrorism. Still substantial but much reduced power asymmetry and lesser cultural distance characterized the South Korean situation. Finally, China, in light of its geo-political weight and greater independence from global markets, had to be treated cautiously by global institutions. Simultaneously, cultural distance was greater than in the case of South Korea. Halliday/Carruthers show that these national particulars greatly affect how global and national forces meet: globalization does not unfold as a uniform process.

Three subsequent chapters analyze processes at work in the "black box" of globalization. As global and local forces seek mutual adjustment, albeit asymmetrically, intermediaries occupy the nodes of networks of communication, engaging in transplantation and translation work. Often they act as bricoleurs, mixing together elements of global and local scripts and practices. Intermediation is the first crucial process. The second is "foiling": Local actors "develop repertoires of resistance, weapons of the weak, through which they manage to carve out zones of independence from external pressure. In these openings, they deviate and design, reject and adapt, conform and contest as their situations permit. These repertoires are artfully matched to the historical moment, sensitive to changes in geopolitical circumstances. . . [T]hey do reinforce our argument that globalization is contested and negotiated, not simply imposed or imprinted, even when the power differentials are pronounced" (pp. 29–30). A third process results: recursivity represents the reform cycle in which grand designs, meeting local resistance, warrant adjustment that provokes new local sensitivities. The implementation phase, often neglected in world polity research (but see Boyle), here proves central. It not only spoils the realization of grand designs but also induces their modifications.

Halliday/Carruthers provide highly useful conceptual and analytic tools that are waiting for an application to the area of human rights law generally and the notion of individual criminal accountability and Sikkink's *The Justice Cascade* specifically. What is the impact of imbalances of power and cultural distance for the likelihood that global designs of human rights law will be adapted in different countries? What intermediaries are at work? How does foiling hamper grand designs, for example when countries stress the ICC's complementarity principle, but do not really pursue justice domestically (or do so by means rejected by rule of law principles of international criminal law)? What about recursivity? How will global designs change in light of local resistance? The field of criminal law and its implementation in the human rights arena is new, and there will be much opportunity for careful empirical observation in decades to come.

Learning from Domestic Studies for International Law and Justice

Research on the punishment of grave human rights violations is new, and it fades in

quantity against the massive literature on criminal punishment in domestic settings. Might the new field learn from this established body of literature? I will explore this question with just one outstanding example. David Garland's *Peculiar Institution*, recipient of several prizes, including two ASA section awards (culture and historical-comparative) and subject of a detailed and praising review essay by former Supreme Court justice John Paul Stevens (2010), is a powerful book on the history and present uses of the death penalty in the United States. Garland observes that capital punishment in today's America is used only in selected jurisdictions, and hidden, with great complications, hesitation, delays, and apologies among those responsible for its execution. He rightly stresses that this hesitancy is partly explained by the same cultural forces that inspired anti-death penalty provisions in human rights conventions, transnational treaties, and international law. The same modern focus on individual dignity and human rights is intimated by Emile Durkheim in his comments on the Dreyfus affair (see Smith 2008). Cultural forces that promote the ''justice cascade,'' the punishment of human rights violators, so eloquently depicted by Sikkink and explored for the ICTY by Hagan, simultaneously civilize and constrain punishment of those violators and the application of the death penalty in the United States. Yet, while America shows the same hesitancy about killing convicts that led other countries to abolish capital punishment, it does show particularities as well.

First, numerous American states still have the death penalty ''on the books,'' and several continue to practice it. And yet, some U.S. states were pioneers of abolition, even in international comparison. The explanation of this seeming paradox lies in a political system that places much authority at the local level and allows for popular participation through mechanisms such as the election of judicial personnel and the jury system. Second, local or situational conditions—highly variable as opposed to the unifying institutional frame—determine persistence *and* abolition. They include group relations, racial demographics, violence rates, and symbolic associations, promoting unhampered punishment in some and restraint in others. Much room is thus left for local forces and narratives, for emotion, irrationality, and symbolism, highlighted most effectively by Philip Smith (2008) in his revision of a late Durkheimian approach to punishment.

Garland's analysis of the American story of capital punishment teaches lessons regarding the introduction of individual criminal liability into the global human rights regime. We learn that the shape of institutions of criminal justice matters. In the international realm this shape varies considerably: highly centralized (the ICC) and decentralized (domestic courts across the globe that apply international human rights law against domestic and, through universal jurisdiction, foreign perpetrators).

Centralization in the ICC corresponds with bureaucratization. Prosecutor and judges are elected for non-renewable nine-year terms by the Assembly of States, parties to the Rome Statute. This suggests independence from popular will and political pressure. Simultaneously however, the ICC's environment consists of human rights NGOs, highlighted by Sikkink as a foundation for the new institution, and of powerful states. The latter may, through the UN Security Council, refer cases to the ICC and put prosecutions on hold for one year at a time (Article 17 of the Rome Statute, constituting a politicization of law). The future will show the outcome of this interaction of relative bureaucratic-legal independence and a highly politicized environment.

Yet, Sikkink simultaneously shows that international criminal law is most often implemented through domestic courts in a highly decentralized world. Countries across the globe differ with regard to all the situational factors Garland highlights: political structures and group and race relations, racial demographics, the orientation of local elites and their leadership capacities, homicide and violence levels, symbolic associations of the death penalty, and events and contingencies. They vary in yet more ways than American jurisdictions as their institutional systems also take distinct shapes, as does their power position in the international community. We should thus see great diversity in the application of individual

criminal liability for grave human rights violations around the globe.

Conclusions

Daniel Levy and Natan Sznaider (2010), in a recent remarkable book, highlight the notion of cosmopolitan memories, and their potential effects on human rights regimes. They suggest a synthesis between local and global experiences. The human rights regime, with its abstract enlightenment principles of individual human dignity matters, but so do nation-specific factors. Boyle and Halliday/Carruthers explore both when they study the establishment and implementation of global legal regimes. Local conditions such as legacies of law dominate in Meierhenrich when he examines transitions and in Savelsberg/King as they consider consequences of regime continuity and power in the international sphere for law and memories. Limitations of domestic criminal law in the pursuit of human rights violators, highlighted by Pendas, are partly overcome in the new international model. Yet further local conditions, explored by Garland, only add complexity. Some countries will be forerunners and other will be laggards in the implementation of human rights law—just like jurisdictions within the United States have varied in their uses and abolitions of the death penalty over two centuries. Local conditions of violence, power balances, memories and legal traditions will interact with the global networks and regimes that Sikkink explores and international institutions that Hagan studied to shape the future of penal law and practice in transitions to democracy and in global human rights regimes.

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A Decade of Critique: Notable Books in the Sociology of Mental Health and Illness

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Unhinged: The Trouble with Psychiatry—A Doctor's Revelations About a Profession in Crisis, by **Daniel J. Carlat.** New York, NY: Free Press, 2010. 256pp. $25.00 cloth. ISBN: 9781416590798.

The Dilemma of Federal Mental Health Policy: Radical Reform or Incremental Change?, by **Gerald N. Grob** and **Howard H. Goldman.** New Brunswick, NJ: Rutgers University Press, 2006. 226pp. $44.95 cloth. ISBN: 9780813539584.

Creating Mental Illness, by **Allan Horwitz.** Chicago, IL: University of Chicago Press, 2002. 289pp. $42.50 cloth. ISBN: 0226353818.

The Loss of Sadness: How Psychiatry Transformed Normal Sorrow into Depressive Disorder, by **Allan V. Horwitz** and **Jerome C. Wakefield.** New York, NY: Oxford University Press, 2007. 287pp. $31.95 cloth. ISBN: 9780195313048.

Of Two Minds: The Growing Disorder in American Psychiatry, by **T.M. Luhrmann.** New York, NY: Knopf, 2000. 337pp. $26.95 cloth. ISBN: 0679421912.

Tie a Knot and Hang On: Providing Mental Health Care in a Turbulent Environment, by **Teresa L. Scheid.** Hawthorne, NY: Aldine de Gruyter, 2004. 198pp. $24.95 paper. ISBN: 9780202307596.

Anatomy of an Epidemic: Magic Bullets, Psychiatric Drugs, and the Astonishing Rise of Mental Illness in America, by **Robert Whitaker.** New York, NY:

Broadway Paperbacks (a division of Random House), 2011, 404pp. $15.00 paper. ISBN: 9780307452429.

Perhaps the biggest contrast between medical sociology and the sociology of mental health and illness is the relative dearth of books published by sociologists specializing in mental health versus those in medical sociology. I have served on the Medical Sociology Section Committee for the Eliot Freidson Award for best book published in medical sociology and enjoyed reading the half dozen or so books recently published and vying for that award. However, in the sociology of mental health there are only a half dozen or so books published in the past decade (since 2000) that would be contenders for a similar award. The sociology of mental health is a field that has been largely defined by important journal articles, and there have been several special issues of the *Journal of Health and Social Behavior* which have dealt primarily with findings from the field of mental health. In addition, the Mental Health Section has its own journal, *Society and Mental Health.* That said, there are still many notable books that need to be read and which will continue to shape the discipline for the foreseeable future. I am also happy that these books have continued the critical legacy of Erving Goffman in his 1961 book, *Asylums.*

A number of important books written by sociologists have challenged the dominance of biological models of mental illness and especially the hegemony of diagnostic psychiatry (where mental health problems are reduced to discrete diagnoses based upon the American Psychiatric Association's Diagnostic and Statistical Manual). Allan Horwitz's (2002) *Creating Mental Illness* began the frontal assault on diagnostic psychiatry and challenged the usefulness of

diagnostic classification systems and the delineation of over 400 mental disorders based upon criteria set by the Diagnostic and Statistical Manual (DSM). The DSM is now in version IV, with version V being quite controversial and hence delayed until 2013 because of the ongoing debates about the continued expansion of clinical diagnoses and the fuzzy boundary between normal and pathological conditions (for example, the DSM-V originally contained criteria for determining "pre-pathological" states). Horwitz's main point is that the DSM overstates the amount of mental disorder, viewing all evidence of psychiatric symptoms, regardless of their cause, as evidence of pathology. He admonishes both researchers and clinicians to distinguish between mental disorders and normal reactions to social stressors and/or deviance—laying the groundwork for a sociological understanding of mental disorder and mental health problems.

Creating Mental Illness is clearly argued, and provides readers with a concise and well-written account of the origins of dynamic psychiatry (Freud) and the shift to a medical model and clearly-defined disease entities in the 1970s with the development of the DSM-III. Diagnostic psychiatry is based upon biological understandings of the operation of the brain, and Horwitz provides a very readable overview and critique of the data used to provide support for the biological model. The reader is left with a clear understanding that biologically-derived explanations emphasize individual differences to the neglect of group, environmental, or population differences. He concludes that the dominant (and still current) view of mental disorders as brain diseases is a cultural belief, hence the title, which emphasizes the social construction of mental illness. Rather than biology, researchers need to focus on the social causes of distress and mental disorder: those life events that are negative and uncontrollable including poverty, instability, unemployment, and neighborhood disorganization. *Creating Mental Illness* is also notable in that it is the only non-edited book to have won the American Sociological Association Best Publication in Mental Health Award.

The critique of diagnostic psychiatry is continued in a book co-authored by Horwitz

with Jerome Wakefield, *The Loss of Sadness: How Psychiatry Transformed Normal Sorrow into Depressive Disorder* (2007). While Horwitz used depression as an example of how the DSM fails to distinguish normal responses to life's problems from pathology, *The Loss of Sadness* uses this example to provide a thorough history and overview of the definition and classification of depression, taking us inside the DSM and the operation of its classification system. The overall point is that the DSM "does not recognize that many problems in living are not mental disorders" (p. 115). Furthermore, since the 1990s psychiatrists have argued that the symptom threshold for depression needs to be lowered, and that relatively mild symptoms of depression need to be seen as risk factors for more serious conditions (themes which recur in the continued debates over the revisions to the DSM). Horwitz and Wakefield provide evidence for the growing role of drug treatments and the advantages gained by the pharmaceutical industry with the medicalization of "ever-widening realms of human experience" (p. 217). They also criticize both anthropology and sociology for failing to distinguish normal sadness from clinical depression in their research, and the reliance on DSM classification systems as the basis for understanding the prevalence and treatment of mental health problems.

These sociological critiques of diagnostic psychiatry have been extended by two books published in 2010. While neither book is by a sociologist, they are important and should be read by sociologists. *Unhinged: The Trouble with Psychiatry—A Doctor's Revelations about a Profession in Crisis* is written by Daniel Carlat, a psychiatrist who uses his own clinical experiences and past ties to the pharmaceutical industry to illustrate the point that psychiatrists do little more than prescribe drugs for an ever-expanding series of mental health problems. Carlat is not an anti-psychiatrist; he believes that medications have a role, but he is critical of psychiatry for relying solely on drugs to the neglect of therapy: "We treat the neurotransmitters, and we refer the person to somebody else" (p. 16). His critique of the DSM is buttressed by descriptions of how he as a psychiatrist uses the DSM to arrive at a diagnosis, and

describes cases where drugs were, and were not, effective. Carlat then takes the reader inside the workings of the pharmaceutical industry, providing insight into how psychiatrists are influenced by drug representatives and the money provided by pharmaceutical companies for research which has driven both the proliferation of clinical diagnoses and the use of drugs. Psychiatry is clearly under attack as Carlat provides detailed information on the financial gains of leading psychiatrists. He argues for a new model of psychiatry, where psychologists and nurse practitioners would be able to prescribe medications and psychiatrists would forego medical training for enhanced training in therapy. This book is very readable, and quite useful for classroom use. While Carlat relies upon his own clinical experience, he is also familiar with and uses the dominant sociological literature as a basis for his critique of psychiatry.

A more thorough and detailed critique of psychiatric medications and the medicalization of mental health problems can be found in Robert Whitaker's *Anatomy of an Epidemic: Magic Bullets, Psychiatric Drugs, and the Astonishing Rise of Mental Illness in America*. In contrast to Carlat's first-hand description, Whitaker's book is based upon reviews of the psycho-pharmacologic research where he demonstrates repeatedly that despite the widespread use of psychiatric medication, recovery from mental disorders has actually declined and rates of disability have risen. Rather than curing mental illness, psychiatric drugs are fueling an epidemic of mental illness (p. 11). While he does not cite Horwitz's *Creating Mental Illness*, Whitaker poses the question, "Do we have a paradigm of care that can, at times, **create** mental illness?" (p. 30). He reviews 50 years of outcomes data which all demonstrate that patients did (and do) better without psychiatric medications. The impressive array of data is illustrated by interviews with patients—anecdotal data that adds to the readability of the text.

We all need to read Whitaker's book; he provides a solid empirical basis for understanding the increasing prevalence of mental disorder as an iatrogenic illness. The history and key research on the major psychiatric drugs and their use in treating schizophrenia, bipolar disorder, anxiety, depression and ADHD is reviewed. The iatrogenic effects of the drugs are illustrated with data produced by the pharmaceutical industry and psychiatrists, where rather than fixing "chemical imbalances in the brain, the drugs create them" (p. 207). The story does not end here—Whitaker takes up the point raised by Horwitz in 2002, that belief in the medical model is a cultural belief. Whitaker goes well beyond Horwitz and shows us how and why the medical model was created and perpetrated by the American Psychiatric Association, The National Institute of Mental Health, and National Alliance on Mental Illness, and how it has been maintained by discrediting any criticisms of the medical model and withholding evidence as to the lack of clinical efficacy for the newer blockbuster drugs. As does Carlat, Whitaker gives us the sorry details of the profits racked up by the pharmaceutical industry and its key opinion leaders: the psychiatrists who conduct the drug trails and promote the drugs. With Carlat, he argues that we need to begin to think about drugs more scientifically, increasing our empirical understanding of when and how they work. We need to begin with the fact that we do not know what causes mental disorder, "We need to talk about what is truly known about the biology of mental disorders, about what the drugs actually do, and about how the drugs increase the risk that people will become chronically ill" (p. 359). While some may see Whitaker as too polemical, I was glad to be taken to a place where research begins from a critical stance—certainly where the sociology of mental health and illness started in 1961 with Goffman's *Asylums*.

Medical sociology also has a history of books focusing on the medical profession, hence the Eliot Freidson Outstanding Publication Award. Sadly, such works are far less common in the sociology of mental health, with a few exceptions. First is T.M. Luhrmann's *Of Two Minds: The Growing Disorder in American Psychiatry* (2000). Luhrmann is an anthropologist who conducted an ethnographic study of psychiatric residents in the 1990s. Her book details how the divide between psycho-pharmacology and psycho-dynamic therapy was created

and is maintained. Luhrmann takes us inside the psychiatric training criticized by Daniel Carlat, showing how the two approaches to psychiatric treatment (for simplicity, medication versus therapy) work as distinct cultures. Psychiatric residents learn their roles via a three-year apprenticeship, where they move from memorizing criteria for diagnoses to recognizing prototypes. In this process "the inherent ambiguity of psychiatric diagnosis" (p. 45) disappears and "diagnoses begin to feel like real, distinct objects in the body" (p. 42). As with other medical specialties, psychiatrists train for uncertainty and learn detachment. However, psycho-therapy involves empathy and the formation of an intimate bond with the patient. Since this kind of communication is not learned in medical school or residency, psychoanalysis involves additional, costly training and continued willingness to engage in one's own psychotherapy. Given the need for recognition as a medical expert within the larger medical field, psycho-pharmacology is more highly valued; it is seen as scientific, more "macho."

While medical culture may itself reinforce the preference and dominance of medication therapy, Luhrmann describes the time in the 1980s when medication and psychotherapy co-existed relatively peacefully. What happened? Managed care and its emphasis on cost effective, clinically efficacious treatment became the dominant force in medicine and mental health. Managed care emphasizes short term, outcomes-oriented care, and reimbursement is tied to clinical diagnoses. In addition, Medicaid rules which allowed psychologists and social workers to bill for therapy undermined the authority of the psychoanalyst, while funding for research reinforced the professional status of the neuro-psychiatrist. "Psychopharmacology is the great, silent dominatrix of contemporary psychiatry. It is what psychiatrists do that other mental health professionals cannot do" (p. 47). Luhrmann concludes by arguing that medical solutions do not work for patients with chronic illnesses, and that a reliance on medications allows psychiatrists to deny their moral responsibility to provide comprehensive care.

My own book, *Tie a Knot and Hang On: Providing Mental Health Care in a Turbulent Environment* (2004), provides a more comprehensive examination of the effects of managed care on the work of mental health providers in both public and private practice. The book draws from organization sociology (primarily institutional theory) and examines how organizational contexts enable, govern, and constrain the interactions that mental health clinicians have with their patients. Managed care imposes an institutional logic of commodification, which is in conflict with the professionally-driven logics of community mental health care. *Tie A Knot and Hang On* also provides an analysis of the treatment ideologies of mental health providers and their emotional labor. Managed care not only contains bureaucratic demands for short term, efficacious therapy and medications, it also constrains the emotional labor of clinicians, leading to higher levels of psychological burnout. Mental health providers experience frustration and psychological burnout as they "must make difficult choices between their own professional beliefs about necessary care and organizationally mandated constraints on that care" (p. 11). My interviews with mental health care providers ended with my asking them, "Where do you think mental health care will be in 10 years?" The answers were overwhelmingly negative, and stand as a sharp contrast to interviews I conducted during the 1980s in the era of community-based care. There was consensus that managed care would further fragment the services needed by those with chronic mental illnesses, and that providers would continue to have to meet the needs of a growing patient population with fewer resources. Sadly, these predictions have been realized.

The last book to discuss focuses on mental health policy, and ties together nicely the various themes raised in the books described above. Gerald N. Grob and Howard H. Goldman in *The Dilemma of Federal Mental Health Policy: Radical Reform or Incremental Change?* (2006), provide a testament to the federal policy process' predilection for incremental change. The authors describe the changes in federal mental health policy from World War II to the turn of the twenty-first century. During this time, there has been a continued shift of care from state

institutions to the community, and a contradictory shift in fiscal responsibility for this care from local communities and states to the federal government. At the same time, as already described, the numbers of people with psychiatric diagnoses has rapidly expanded. However, the mental health system has become more fragmented and those with the greatest needs, individuals with severe mental disorders, have experienced deterioration in care.

The Dilemma of Federal Mental Health Policy is an excellent combination of historical overview and a political analysis of intergovernmental rivalries. Unlike other arenas of health policy, ''what is striking is the absence of any consensus on the underlying causes responsible'' for mental health disorders (pp. 1–2). Consequently there can be no consensus over solutions to the many problems raised by mental illness, especially severe and persistent mental illness. The authors briefly review mental health treatment prior to the 1900s in the prologue; giving a quick description of moral treatment and the emergence of the mental hygiene movement. Chapters One and Two describe deinstitutionalization and the emergence of community psychiatry, providing keen insight into the leadership provided by Robert H. Felix and other governmental insiders in beginning the shift to a stronger federal role via the National Institute of Mental Health (NIMH). However, deinstitutionalization never involved a planned policy shift, and the authors attribute this to the ''decentralized character of the American political system'' (p. 18). Chapters Three and Four focus on the Carter administration's Presidential Commission on Mental Health (PCMH), providing much detail on the political maneuvers behind the ultimate passage of the Mental Health Systems Act in 1980. The 1970s were important to the mental health field as there was a shift away from mental illness to a focus on mental health, with a corresponding emphasis on the role of the environment, social services, and prevention. In today's era of narrow focus on individual pathology, it is important to remember (or learn, depending on the reader's age) that at one time poverty, racism, and the need for broad political reform were seen as critical to improved

mental health. However, all of these competing interests undermined the ability of the PCMH to produce focused recommendations which would have any impact. Instead, the Mental Health Systems Act ''created an extraordinarily complex process of combined local, state, and federal planning and management'' (p. 109). Of course, the Mental Health Systems Act was rendered ''moot'' (p. 114) by Reagan's Omnibus Budget Reconciliation Act of 1981, which not only reduced funding for mental health services, but reverted funding to the states via block grants.

What we have seen since the failure of the PCMH was a long period of incremental reforms, and a renewed emphasis on the needs of those with severe, persistent mental illnesses via the expansion of Medicare and Medicaid funding for this population. The 1990s encompassed not only the domination of managed care, but the first ever report by the Surgeon General on Mental Health in 1999; followed by a 2001 report (Mental Health: Culture, Race, and Ethnicity) which was developed in response to criticism of the Surgeon General's report. Services integration and improved patient outcomes became the focus of NIMH funding. However, fragmentation remained a key problem, highlighted in the 2003 President's New Freedom Commission on Mental Health which was a result of collaboration between the key agencies involved in mental health care (the NIMH, the Substance Abuse and Mental Health Services Administration, the Robert Wood Johnson Foundation, and the Mental Health America). Several other reports have emerged, including a 2005 federal action report, which highlights key concerns and problems, but there have been no specific recommendations nor funding for improvements in mental health services.

The Dilemma of Federal Mental Health Policy takes us to the present, and leaves us with little hope for mental health reform, or improved systems of care for those with serious mental health problems. With the decline of public sector mental health programs, those with a serious mental illness find themselves in jails or prisons. As described by David Mechanic in *The Truth About Health Care: Why Reform is Not Working*

in America (2006), the criminalization of the mentally ill ''represents the greatest scandal of our health care system, and a situation which should embarrass all thoughtful citizens'' (p. 80). I agree, and would point readers to Pete Early's *Crazy: A Father's Search Through America's Mental Health Madness* (2006) for a first-hand account by a journalist of how the mental health treatment system operates. It is not only embarrassing; I would go so far as to argue it is immoral. At the same time, the pharmaceutical industry and diagnostic psychiatry are increasing the scope of individual pathology and broadening the ranks of the worried well who seek medical solutions to the many pressures of modern society. Norah Vincent's *Voluntary Madness: Lost and Found in the Loony Bin* (2008) is another journalistic account of the author's immersion in the patient role. Vincent has suffered from depression (which she comes to view as the malaise of our age rather than an illness), and describes her experience as a voluntary patient in three different inpatient settings: a public, big city hospital; a smaller, Catholic institution in the Midwest; and an alternative hospital with a focus on intensive psycho-therapy. Following Goffman's analysis of total institutions, there is insight into the changing nature of social control and staff/patient relations in each of these institutional settings, with a good analysis of the sources of both staff and patient empowerment and autonomy (or its lack). Vincent offers a good account of her growing critique of the medical model of depression and her realization that she is one of the ''overdiagnosed'' (p. 88), lending a nice first hand account of the problems with diagnostic psychiatry.

So where does this leave sociologists? I think we need a renewed emphasis on systems of care (or lack thereof) and more attention to how patients experience this care (or lack thereof). We need more research on how changes in the organization and financing of mental care have impacted the quality of patient's lives; data which can then be used to effect some policy changes. I can point to one work by a junior scholar, which certainly fills some of these gaps and may open the door to more notable books in the sociology of mental health.

Kerry Dobransky was the winner of the 2010 ASA Award for Best Dissertation in Mental Health which will be published by Rutgers University Press in 2013. In *Managing Madness in the Community: The Challenge of Contemporary Mental Health Care*, she examines two community-based mental health care systems and the experiences of patients in these institutions. The analytical lens is organizational theory, and Dobransky describes how conflicting institutional logics result in fragmented care. Not only is there insight into patient experiences, but into the conflict faced by mental health care providers and community mental health organizations who must provide both medical and social services.

Finally, there are numerous edited volumes in the sociology of mental health, and readers should certainly seek these out. Several handbooks provide concise summaries of the extant knowledge base in the sociology of mental health, and others emphasize research in one of the most important arenas for research: stress and social support. One edited volume that should have appeal to not only mental health scholars, but the larger audience of sociologists is *Mental Health: Social Mirror*, edited by William R. Avison, Jane D. McLeod and Bernice A. Pescosolido (2007). *Social Mirror* seeks to bring the sociology of mental health to the center of sociological inquiry, describing the contributions that mental health research has made to major substantive areas in sociology (social stratification, the sociology of work, race and ethnicity, life course and social psychology, organizational sociology) as well as the importance of key concepts (such as social integration and stigma) in the sociology of mental health to sociological research. This volume is certainly essential reading because it encourages us to think outside the box and to look beyond the confines of our academic specializations to see how the sociology of mental health is not only informed by, but has informed, sociological analysis more generally.

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The Varieties of Value

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Why is the same object produced in one place valued more highly than its functional equivalent produced elsewhere? Why are some tourism experiences more sought after (and more highly priced) than others? And what economic strategies make the most sense? These questions of value enable social scientists to consider how valuation differences undergird economic inequality and how values might be transformed in order to better serve the disadvantaged. Economic sociologists have long acknowledged and contested opposing binaries in the marketplace: status or standard, hierarchies or markets, symbolic or material. These binaries emerge from two (sometimes) opposing tendencies. On the one hand, sociologists have found themselves in fruitful dialogues with economists and wanted to demonstrate the worth of studying social life at close range. Some markets are not standard, operating by a different set of rules concerned with status, stigma, and identity, concerns squarely within sociology's purview. On the other hand, cultural economic sociologists have worked to expose these binary oppositions between the symbolic and the material as themselves meaningful, symbolic distinctions that have observable consequences for the material world.

For a long time social networks served as the main social variable that helped explain differences in market outcomes: who gets a job, who gets promoted, who gets the biggest salary increases—in short, who will bring, generate, or has generated the most value. Over time, however, understanding the structure of network ties proved

The Cultural Wealth of Nations, edited by **Nina Bandelj** and **Frederick F. Wherry.** Stanford, CA: Stanford University Press, 2011. 281 pp. $24.95 paper. ISBN: 9780804776455.

The Worth of Goods: Valuation and Pricing in the Economy, edited by **Jens Beckert** and **Patrik Aspers.** New York, NY: Oxford University Press, 2011. 346 pp. $45.00 paper. ISBN: 9780199594658.

Solidarity in Strategy: Making Business Meaningful in American Trade Associations, by **Lyn Spillman.** Chicago, IL: University of Chicago Press, 2012. 536 pp. $30.00 paper. ISBN: 9780226769578.

insufficient to the task. For example, when women occupied the same network positions as men, they did not experience the same benefits; they were not valued as highly (Burt 1998). Different categories of persons (insider/outsider) may have found themselves with the right kind of social ties and placed in the right structural positions, but they lacked the legitimacy to utilize their ties in the ways they saw fit. As social scientists examined who has the legitimacy to act in a particular way towards a particular object, their analyses moved toward the meanings of ties and the capacity of status, identity, and stories to steer the course of action. The three books reviewed here reflect this move.

The Worth of Goods (WG), edited by Jens Beckert and Patrik Aspers, examines the value of modern art, natural habitat, wine, mortgages, stocks, and fashion; rituals and totems underlie value creation, but they operate in ways amenable to existing economic approaches to value outside of sociology. In a chapter on ''The Transcending Power of Goods,'' Beckert offers a late-Durkheimian theory of valuation. He relies on Durkheim's *The Elementary Forms of the Religious Life* to examine the attraction to and evaluation of goods. He rejects it as an idiosyncratic urge and argues that it is instead a ''realization of values shared in social groups and as confirmation of membership in a moral community'' (p. 112).

Goods themselves are symbolic representations of the values shared in a moral community: The symbol stands for (and is evaluated as) the values of the group, with the good both ''representing the moral community and at the same time 'being' this community'' (p. 113). The power of the good depends on its property as a collective entity; many members of the social group share a particular perception, and so though that perception is individually experienced, it is only operative where a large number of people within a community share in the perception and demonstrate ritually their shared understandings.

As the authors in WG contend with the value of goods, some of them develop typologies to differentiate among different kinds of valuation regimes. Beckert and Aspers distinguish between regular and non-regular markets, standard versus status, low meaning dependence versus high meaning dependence. In the former, there is an evaluative scale independent of the immediate evaluators, but in the latter the evaluative scale depends on identities of the actors involved. Beckert's chapter destabilizes the boundary between the dynamics operative in a standard versus a status market, and the introductory chapter itself is ambiguous in the relevance of status orders and of identity in each of these market types. Rather than relegate some market dynamics to a non-status (standard) versus a status sphere, the chapters in the volume permeate (but do not pollute) these boundaries.

Let's begin with one of the non-status markets where pollution and disaster are priced. Marion Fourcade explores ''the kinds of valuation technologies that are being deployed in cases where markets do not exist *and* are not even sought'' (p. 46). She uses the case of the 1989 Exxon Valdez oil spill in Alaska to discern the concrete processes that enable the commodification of things, people, places, and sentiments. What is the worth of beauty, the wild, natural silence, virgin terrain? What do people care about and what makes some dimensions of their concerns more salient than others? To address these questions of valuation, she identifies the technologies of commensurability (e.g., legal categories facilitating compensation and framing parties, rights, and violations as well as the calculative tools widely used to assess damage) as well as the media of exchange (e.g., money, credits, services) that enable market logics to triumph over other logics of valuation.

The importance of law and of calculative tools gets extended to the mortgage market as Akos Rona-Tas and Stefanie Hiss' chapter that shows how price anchoring processes led to poor forecasting in the subprime mortgage crisis. An ethnographic investigation of these sites in which compensation algorithms and the ratings systems are debated would probably reveal ritual action, symbolic polarities, and relational work in dynamic, consequential play.

Framing processes and calculative technologies also manifest themselves in fashion and art markets. Take, for example, Ashley Mears' chapter on the editorial and commercial sides of the fashion modeling market. She begins the chapter by following the triumphs and fumbles of a fashion model who must learn the ropes of valuation and pricing. She utilizes Zelizer's concept of circuits to acknowledge the bounded, meaningful qualities of exchange within relatively stable clusters of actors, optimizing varying combinations of economic and symbolic capital as bookers and clients evaluate and contract fashion models. The mechanisms enabling models to generate economic profits from their status include time (and ritual sacrifice, though this ritual element does not take center stage in the chapter).

Ironically, actors have to render their short-term, high profits as irrelevant in order to make high profits more nearly possible in the medium term. In her analysis, "prices are not reducible to status, as structural analyses of markets would suggest (Podolny 2005), but status is rendered meaningful and contested, as market actors relate to each other" (p. 175). The prices fashion models fetch are themselves constituted by bundles of stories about social arrangements, dynamic moves, and positions within a field of cultural production, "bind[ing] booker[s] and clients together" (p. 174).

Likewise, Olav Velthuis' chapter on art markets examines the social and cultural dimensions of pricing devices. He asks what the institutional arrangements are that enable art to be sold at auction and what constraints there are on pricing and presentation in these institutional settings. He even provides examples from art auctions in China and India, emerging cultural economies, and then returns to the well-known auction of Damien Hirst in Britain to demonstrate how the bases for legitimacy differ in each of these settings. There are meaning structures, shared values, and community norms among market actors who engage in pricing, producing, and trading art, and prices operate within circuits of commerce, "where forms of exchange are accompanied by specified morals, manners, symbols, and rituals, each of which in turn has shared meanings for actors within a circuit" (p. 196).

Just as there are different formal and informal rules that govern economic exchanges, there are also different hierarchies of value based on the location of those exchanges. The meanings of what a thing is worth becomes encased in where the thing was produced, or rather in the collective stories told about and the symbols singularly attached to the place of production. These are the themes that *The Cultural Wealth of Nations* (CWN), edited by Nina Bandelj and Frederick F. Wherry, takes up.

CWN advances a cultural perspective on economic development to show that economic success can result from the symbolic resources that nations, regions, and communities have at their disposal. The volume's contributors reject traditional understandings that deploying culture for economic purposes corrupts some "true cultural essence" (what Viviana Zelizer calls a Hostile Worlds approach). Rather, the contributors to the volume provide empirical detail about how cultural commodification occurs and what constrains it. At the same time, the contributors demonstrate how the true cultural essence of places and things is crucial for the sense of value that commodities command. In the volume's case studies one finds different pathways to valuing and honoring collective stories and sacred traditions. An object believed to be sacred seemingly has the force to compel its observers to engage in or avoid certain behaviors toward it and to feel attraction, repulsion, fears of contagion and defilement, and emotionally-charged, righteous indignation at its violation (Marshall 2010).

In the value-generating process of sacralization, the authors find that not everyone is chosen. In fact, the economic rewards from tourism and from participating in the cultural marketplace are unequally distributed across the globe. What explains these distributions of symbolic resources and economic rewards? In the chapter "The Political Economy of Cultural Wealth," Miguel Centeno and the volume's editors detail these inequalities. World regions have relatively similar endowments of "natural" heritage sites (coral reefs, landscapes, etc) recognized by the United Nations Educational, Scientific, and Cultural Organization (UNESCO)—however, the lion's share of cultural heritage lies in Europe and North America. The nature/nurture divide is stark; so too are their corresponding economic valuations. Likewise, the tourism that focuses on beaches and bars attracts different audiences and affirms different reputations when compared with the tourism that focuses on the bells of cathedrals and the highbrow works of museums—hence, the beaches, bars, and bells distinction that the authors make.

When considering the iconicity of landscapes, economic historian Dario Gaggio takes the reader to Tuscany. Gaggio offers "a cautionary tale for governments or private sector actors attempting to generate cultural wealth out of thin air. Cultural wealth accumulation has not been a linear process

in Tuscany, nor has it been uncontroversial to decide what aspects of the Tuscan landscape and heritage would come to be seen as desirable. Policy decisions made for completely different goals have had important, but unintended, effects on Tuscany's cultural wealth" (p. 91). Just as Alejandro Portes and Margarita Mooney (2002) use the case of Emilia Romagna to argue against the assumption that social capital could be cultivated and institutionalized anywhere one finds willing participants, Gaggio uses the Tuscan countryside to demonstrate how the potential of symbolic capital to promote local economic development depends on the history of political struggle in the region where the development activities are launched.

Similarly, Frederick Wherry and Todd Crosby demonstrate how the conversion of symbolic capital into economic capital is not a straightforward process. Their chapter on the Culture Banks of Mali resembles Michael Woolcock's (1998) well-known piece on social capital and development. Rather than social capital, the emphasis is on symbolic capital. Rather than social relationships serving as collateral for business loans, collective stories and traditional objects serve as collateral. The more the lender knows about the object (the more stories they can tell that a local council believes), the greater the value of loan. The linkage between collective stories, objects, and place are explicit. The bank functions as a museum promoting cultural preservation, a community center hosting festivals and educational programs, and a tourist site full of local content, operated by local people. The authors take us inside these circuits of commerce—the differently defined relations, the various media attached to those relations, and the third party enforcement of socially proscribed exchanges—and illustrate how these circuits work. They point out that when the bank tried to operate without emphasizing the various circuits, functions, and meanings that flow through it, interest lagged and the project failed. Only when a multiplicity of purposes and ritual gatherings were mounted in the space could the conversion of symbolic into economic capital proceed more smoothly.

This approach to local economic development as a holistic, dynamic process finds expression in the volume's chapters on global value chains. In her examination of the Mundo Maya tourism project, Jennifer Bair applies global value chain analysis in a holistic way, capturing the struggles over how the value chain will be governed across five different national territories and among competing within-country institutions. She presents contingent, unfolding processes of value generation as actors and institutions shape, edit, and contest the collective narratives that render the Mayan route valuable. And she challenges traditional global value chains research that "too rarely interrogates how [. . .] value is defined, by whom, and toward what end, leaving the narrowly economistic concept of 'value-added' as the default definition" (p. 196).

These economistic understandings of global value chains too often rely on simple formulas for increasing value within specific links of the value chain, namely by using technology to eliminate additional, unnecessary transactions (getting rid of the middlemen). Geographer Mark Graham challenges these understandings in his study of the Thai silk industry. He begins with the promise offered by the internet in enabling local producers to bypass middlemen brokers so that these producers can capture a greater share of the value their products generate. This process of disintermediation became an even greater challenge as silk producers attempted to discern what the end-consumers needed to hear about their products, the history of silk production, the specifics of their own workshop, and stories about where the silk was being produced. Many local producers did not have the social skills to navigate what to tell, how to tell it, and at what times to place emphasis on one aspect of their stories versus another. And buyers had no basis for trusting one internet provider from the northeast of the country versus another. Internet use to link with buyers increased for middlemen brokers but not so much for the local producers themselves. Without a shared understanding of how transactions and communications should unfold between buyer and seller, local producers found themselves in need of cultural brokers. The

network infrastructure must be navigated with culturally-based social skill or the journey from producer to buyer will be less travelled.

Culturally-based social skill can work for or against the valuation of local producers. Consider how collective stories about the South African political miracle and Black Economic Empowerment get in the way of locals struggling to capture more economic value from their works. In their chapter on the South African wine industry, Stefano Ponte and Benoit Daviron argue that the notion of empowerment implies that blacks now own a large stake in the wine industry, but they do not. Worse, the conditions endured by black workers in the vineyards are largely ignored and seldom questioned by consumers wanting to support the new South Africa.

The irony runs deeper. The cultural wealth of South Africa includes collective narratives about its rich diversity, human and otherwise, and the country's compliance with international standards in its multicultural policies and its human rights, yet these narratives have drawn attention away from the fact that the wine industry now largely depends on mono-cropping which robs the natural habitat of its bio-diversity, and global market pressures have led to the removal of many indigenous wine varieties that made South African wines unique (for the connoisseur, not for the masses). These negative outcomes in the wine industry are hard to discern because the focus is on whether the wines are "certified"—and these certification procedures render irrelevant the conditions of the workers and the transformation in local indigenous practices.

While the chapters in these two volumes debunk standard formulations of value and point to the dynamic struggles underlying valuation, Lyn Spillman's *Solidarity in Strategy: Making Business Meaningful in American Trade Associations* (SS) overturns comfortable assumptions about how businesses and the business associations they join evaluate their interest. She begins the book by caroling the dragon she intends to slay: self-interested action in pursuit of economic profits. Where do their vocabularies about interests come from? How do the discursive categories that business owners and association leaders use to talk about their work affect the strategies they deploy to meet both private and civic goals? How can the solidarity inducing activities of business associations be understood as valuable beyond the economic profits they might nebulously net? Spillman takes her investigation into the dragon's lair, demonstrating that "business associations produce cognitive categories, networks, and fields that create collective cognitive goods for economic action" (p. 346). She builds on Zelizer's findings that economic action is not impermeable to the cultural, affective, and cognitive dimensions of life—it is rather co-constituted by them.

In the very associations where non-economic goals should not matter, Spillman finds non-economic goals and activities shoring up the associations' memberships. In fact, there is no systematic evidence to support claims that business associations really do improve the economic performance of members or their industries. Because this is taken as "an article of faith," the reader can begin to see how an assumption that once felt so familiar now feels strange. In SS, business associations are "cultural producers of 'interested' identities that are *necessarily* communal *as well as* strategic, solidaristic *as well as* cognitive" (p. 188).

Although she examines the economic-profit oriented activities of the associations, she balances her attentions with the associations' intraindustry activities, including educational seminars, publishing research, establishing and coordinating industry standards and certification protocols, and sharing information. They reward their members with status, and recognize technical proficiencies and career-long contributions to the industry. They tell stories about how people in this kind of industry do certain kinds of things; the actions their association sees as legitimate for problem solving, however, may differ from the technically feasible actions that may maximize profits in the short-term. However, businesses and the associations they join act *as if* their articles of faith will deliver (economic) salvation eventually.

As the leaders of business associations express their association's values, they often point to concerns associated with the civic

sphere. These concerns include safety, protection, and transparency, in the case of the Firestop Contractors International Association. Consider an essay written by one of the directors of FCIA. Notice the value-rational commitment of life as something that should be valued in itself: ''So you're on the top floor. The sprinklers fail. Can you get down in time? Will you be able to see or breathe if there's dark smoke in the halls? Will the smoke be toxic, poisonous? Will you get out? Who knows? So are you ready to gamble with your life? How much money can 'they' save to make it worth it to you? . . . I think some things are priceless. A life any life, is one of those!'' (p. 317)

These moral claims go beyond life-and-death issues. They also include social justice concerns for serving under-served (minority) populations, providing equal access to the American dream, and rehabilitating neighborhoods, in the case of the National Association of Real Estate Brokers. Rather than take a cynical view toward the civic engagement of these associations, Spillman examines the co-mingling of economic and social goals. She trespasses the distinction between the civic sphere and its economic opposite. Like Zelizer, Spillman finds that the civic and the economic do operate in separate spheres or hostile worlds.

SS meets Zelizer's challenge of engaging the meanings of economic lives; it also meets Jeffrey Alexander and Philip Smith's challenge of building a strong program in cultural sociology by engaging in a thick description of the vocabularies and strategies of action as well as the symbols animating action in business associations while following a ''normal science'' approach to sampling these associations. She draws on a unique dataset developed with her collaborators (Rui Gao, Xiaohong Xu, Brian Miller, and Georgian Schiopu). It is a comprehensive, national census of 4,465 business associations operating in the United States from 2002–2003. She then takes a focal sample of 231 business associations that are emblematic of the variety of business activities represented in the national census. This focal sample includes statements of purpose, photographs from past meetings, letters from leaders, promotional materials, newsletters,

award presentations, and various other materials that the association routinely produces. She is careful to rely on materials the organizations have generated so that she can analyze just how meaningful the day-to-day of associational life is, even for business associations. She is also able to show how the members of these organizations seek and maintain a sense of solidarity among its members and how their sense of we-ness affects their civic engagements and well as their business practices. Her attention to these methodological details should appeal even to scholars skeptical of a strong cultural program for the study of economic life and should provide a template for cultural economic sociologists bringing a Zelizerian approach to market dynamics to the worlds of finance, banking, construction, healthcare (hospital management systems), marketing, and the cultural industries—a variety of fields and, in each, a variety of values.

To conclude, in these three works we find sociologists asking what is valuable and why. Their explicit evocation of Emile Durkheim as their theoretical forebear ties their analyses together across geography and methodology, but they differ in which version of Durkheim they privilege. The very medium of exchange in the standard market has come under interrogation, systematically forced to divulge its secrets: the institutional bases of its goals and the ritualized order of its operations. What value is and how it changes, what the various ways of assessing worth are and how they are generated, these questions have led to new lines of inquiry into the worth of goods, the cultural wealth of nations, and the value of business activities.

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