

Crimes of Dissent: Civil Disobedience, Criminal Justice, and the Politics of Conscience. By Jarret S. Lovell. New York: New York University Press, 2009. 239 pp. \$23.00 paper.

Reviewed by Jennifer Earl, University of California, Santa Barbara

Crimes of Dissent attempts to provide a broad overview of principled law-breaking through dissent by tracing the experiences of a subset of protesters who are serially arrested for nonviolent civil disobedience. As such, these activists typically expect to be arrested and prepare themselves and their affinity groups for arrests (sometimes by choreographing the arrest with authorities). Perhaps surprising to some, these protesters are not uniformly progressive; right-wing civil disobedience practitioners (e.g., pro-life activists who block clinics) are featured prominently in the book.

This book takes on a number of distinct agendas. Theoretically, the book is arguing for a cultural criminology for dissent that that would see civil disobedience as principled law-breaking, or as a “pure” crime (see Chapter 3 for a discussion of characteristics of pure crime). Lovell’s application of cultural criminology has three prongs. First, cultural criminology has generally tried to show how everyday behaviors are criminalized and to explain how law-breaking might help resolve “psychic conflicts” (p. 20) arising from tensions between cultural and moral beliefs on the one hand and legal and political restrictions on the other. By arguing for a specific brand of anarchism that champions individual moral responsibility over legality (pp. 43, 52), Lovell applies this tenet of cultural criminology to argue that “many of the so-called crimes of dissent are in actuality cultural reactions” to progressive or conservative political agendas (p. 20). Indeed, he argues that “what society sometimes treats as criminal behaviors is later heralded as the starting points of justice” (p. 206). Second, cultural criminology has focused on the pleasure that can result from law-breaking, and Lovell stresses the positive aspects of participating in civil disobedience, such as the “pleasure to be derived from openly fighting the system” (p. 20) and from “the transgression of legal norms” (p. 23). Finally, cultural criminology often locates law-breaking within a subculture that supports legal transgression, and Lovell suggests that affinity groups and larger networks of activists create subcultures that support illegal forms of dissent.

This book also has a clear normative dimension, advocating throughout for a particular brand of anarchism. Showing his cards fully, Lovell concludes the book noting that “hopefully . . . through a discussion of anarchy, readers have gained a sense of the extent to which we as a citizenry have become (too) dependent on government and the legal system to reverse the injustices that it originally set in motion” (p. 206; parenthetical in original). He also

makes the potentially objectionable claim that all “crimes of dissent constitute individual acts of anarchy” (p. 14), albeit anarchy “in the best sense of the word” (p. 14).

Finally, the book can read as a more empirically oriented tracing of the experiences of activists from their decisions to engage in civil disobedience (Chapter 3), to their participation in civil disobedience (Chapters 3 and 4), to their arrest and subsequent involvement with the legal system (Chapters 4 and 5), and to their perceived impacts of action (Chapter 6). It is beyond this review to summarize each set of arguments, but in each instance the book attempts to connect with some of the relevant existing literature while presenting the author’s unique take on the topic.

In terms of data, Lovell primarily relies on interviews with activists who have been serially arrested and on the author’s own experiences. Much of the data are summarized or paraphrased, with scattered quotations giving more life to the discussions. Brief biographies of interviewees appear in an appendix. The author also uses a wide range of historical and contemporary examples, with some key historical examples looking back into antiquity.

In critical terms, the three central story lines, each with seemingly distinct (and perhaps competing) audiences, make it somewhat difficult to imagine a single coherent audience for the book. For instance, the thesis around cultural criminology is meant to speak critically to criminologists in hopes of expanding understandings of principled law-breaking, but the strong advocacy for a specific brand of anarchism may alienate a large proportion of this audience (and some activists too, as well as some anarchists). Because of the diversity of arguments and audiences, it might also be difficult to use the book as a stand-alone monograph in a course, although one can imagine ways of using a subset of chapters depending on course goals. Further, while Lovell shows great respect in his writing for the activists he interviewed, readers do not see as many direct quotations as some may desire, nor is there always a clear sense of the relative proportion of activists that took a specific view or shared a similar kind of experience.

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Living Law: Reconsidering Eugen Ehrlich. By Marc Hertogh, ed.
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Reviewed by Dan Steward, Ohio Wesleyan University

Living Law: Reconsidering Eugen Ehrlich offers the considered opinions of several scholars on the significance of Ehrlich’s work from