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The Global Contention for Law's "Special Character"

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It is a daunting task to review such a rich and prolific volume that brings together no less than twenty-six chapters and forty-seven authors. One can only be admiring, particularly as it comes immediately after a first volume which presented portraits of national legal professions in forty-six different jurisdictions. Taken together, the two volumes provide an unprecedented amount of data (profession's size, demographics, legal education, governance and ethics regulation, position in the national field of power, etc.) and a unique reference point for all sociolegal scholars. While the first volume reads like an atlas of legal professions, the second one is comparative and theoretical in scope and concretizes the intellectual returns of the former by offering a large array of possible lines of interpretation of the material.

What certainly adds to the great scholarly value of these two volumes is the fact that they come as a sequel, almost thirty-five years after the first three volumes of 1988–1989, edited by Richard Abel and Philip Lewis, entitled *Lawyers in Society*. The presence of Richard Abel among the four editors of this new edition is testimony to this direct genealogy between both projects, which share the same sort of rare encyclopedic ambition. And yet, the editors have profoundly transformed and renewed the contours of the project turning it into a "cross-cultural, inter-disciplinary and international" academic experiment. As explained in the excellent introductory chapter by Ole Hammerslev and Hilary Sommerlad, the editors maintained the Weberian tradition of comparative and historical sociology that featured the first edition, yet now moving it beyond Western-centric approaches. When compared to its predecessor, the present edition does indeed mark a considerable broadening in perspective. While only three chapters had been previously devoted to non-Western countries (Brazil, Japan, and Venezuela) at the time, the new edition has a much more international outlook not

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only in terms of country coverage (forty-six different country reports) but also in terms of participation of colleagues from the Global South to this collective undertaking.

INTELLECTUAL RETURNS

Such widening of the scope brings immediate intellectual returns. While the rather legalistic binary divide between "civil law" and "common law" countries that organized the 1988–1989 edition has remained, it now plays a secondary role as the book does justice to many other regional, transnational, and global dynamics that shape law and lawyering.

Global Transformations

It is certainly one of the most striking results of the book that, despite many differences and contingencies, all legal professions of the world are indeed going through common trends, tensions, and transformations, many of which only make sense when considered across the globe. The hegemonic power and the reach of Anglo-American law education and law firms are still among the most defining features of the professional practice of law on the global scale. Just as the post-colonial relationship between formal imperial centers and the peripheries of the Global South continues to structure asymmetrical flows of professional credentials, institutional models, and career moves. However, the global picture is much more complex and diversified. Suffice it to look at the first four chapters that present "regional approaches" in Africa, Latin America, the Islamic world, and the former Soviet bloc, which treat transnational and local idiosyncrasies that do not refer to the traditional Western "core" of legal professionalism.

Beyond Market Control

The new edition also provides a profoundly renewed research agenda. Famously, the original three volumes were mostly centered around issues of professional market control, bringing together an exceptional group of scholars from the field of sociology of professions. The theme has certainly not disappeared, as can be seen in Part I on "The Production of Law and Lawyers" and Part VI on the "Sociology of Professions": both address the challenges of deregulation and de-professionalization which undermines the profession's traditional claim for self-regulation and independence. One will actually find excellent updates on some of the most classic research strands on legal professions, including issues of access to justice, professional identities, legal education, paralegals, professional ethics, governance, and strategic litigation—all themes that were already well established at the time of the first edition. However, the new edition considerably widens the perspective as it connects sociolegal studies to many new fields of social science research that have emerged over the past thirty-five years. Part II on "Diversity" has a rich set of chapters on social, gender, and ethnic diversification of a profession that has become increasingly attractive worldwide. Similarly, issues of globalization,

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neoliberalism, authoritarian turn of regimes, digitalization, post-colonialism, social justice, etc., that were close to absent from the previous volumes, now play a central role. As such, this is much more than a book on the many legal professions of the world. Suffice it to look at the rich bibliographies of the different chapters; to consider the new generations of scholars and research projects brought to the forefront (e.g., the project on Globalization, Lawyers, and Emerging Economies (GLEE)); or to read some of the strong theoretical chapters that provide wide-ranging analyses of the intersections between law, lawyering, and society (see among others, chapters by Sida Liu, Frank Munger, David Wilkins, David Trubek, and Bryon Fong, or Yves Dezalay and Bryant Garth). They are a testament to the profound transformations of the research agenda over the past decades and above all a demonstration of the liveliness of socio-legal scholarship.

CONTRADICTIONS, TENSIONS, AND EROSION

Overall, the picture of the legal profession that comes out of the volume is one marked by profound tensions and increasing contradictions over the past three decades. With hindsight, it becomes clear that the Western-centered and quasi-aristocratic world of legal professionals, with its gendered, ethnic, and elitist structure, was living its very last days at the time of the first edition (1988–1989). To be sure, some of the trends and tensions had been described and anticipated in the original volumes: the emergence of "BigLaw"; the mass entrance of women (and to a lesser extent, of minority groups) in the profession; globalization processes; the rise of the BRICS countries; etc. Yet, their size, pace, and transformative effects were still imperceptible to the naked eye. The new edition reads as a story into the rapid erosion of the neo-Weberian model of legal professionalism.

This erosion can be traced *from within* the legal profession, as do the chapters in the "Diversity" part of the book. These chapters exemplify the powerful process of diversification of the profession with the acceleration of feminization (in the US, the overall share of women within the legal profession has risen from 3 percent in the 1970s to the 35 percent of today), a phenomenon that has occurred in virtually all jurisdictions, as well as the democratization of the profession through the entrance of law graduates from ethnic minorities or lower social classes. This may have come with new forms of stratification and segmentation (in terms of status hierarchies, access to leadership positions, etc.) that have allowed for the masculine white culture to perpetuate in some niches of the profession, such as in some of its corporate bastions. Yet, overall, the profession has increasingly diversified as it was developing demographically. Similar transformative effects can be identified in terms of legal practice with the growing differentiation and asymmetries of the legal professions between the rise of large law firms serving both corporate interests *and* the state, on the one hand, and the much more fragmented part of the profession providing services to individual and public interest, on the other. While the dominance of the US Cravath model of big law firms was long in the making, the phenomenon has taken a whole new meaning as it extended globally and moved from a couple of hundred of lawyers in the 1980s to 12,000 lawyers at Dentons and 7,500 lawyers at the Chinese Yingke, its immediate follower in the ranking, which

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was established less than twenty years ago. Interestingly though, the organizational model of the big law firm itself changed as it spread out beyond the Anglo-American sphere of its origin: while the big law firm traditionally marked how the legal profession had become intertwined with corporate interests, it takes a different meaning in China where it is also deeply connected with forms of state tutelage and sponsorship.

The erosion of legal professionalism is even more marked when considered *from the outside*, as its boundaries are put under strong deregulatory pressure, diluting the distinctiveness of legal expertise. While law and lawyers had long been *the* yardstick for all professional projects that tried to mimic its state certification and strong internal governance, it is now undermined by the combined effects of neoliberal deregulation, interprofessional competition from the consultancy marketplace, and disruptions from legal tech pushing to de-professionalize entire segments of legal expertise. As a result, the self-regulated model of legal professionalism that was at the core to the first edition "is not anymore a world-wide model," with Frank Munger noting "the prevalence of non-professional regulation of legal services markets in some parts of the world, together with reduced support for legal professionalism in other jurisdictions."

LAW WITHOUT LAWYERS?

Interestingly though, the demise of lawyers' professional project does not come with that of law as the key grammar of power (and of its legitimization). Quite the contrary, if one considers the centrality of law and lawyers in the *dispositifs* of neoliberalism and global governance (Alter 2021; Vauchez 2021), as well as in contemporary forms of autocratic ruling (Scheppele 2018). To grasp such a paradox, the traditional toolbox of the sociology of professions proves increasingly inadequate as it leaves the issue of power in the background (Sida Liu). In this regard, the choice made by the editors to keep an open-ended construction and adopt no *a priori* definition of law, lawyers, and legal professions proves particularly heuristic. Readers may feel a bit dizzy and bewildered as they go through chapters and moves from one context to another. Yet, they will get a fuller sense of the extraordinary "functional plasticity" and fluidity of contemporary legal practice.

As lawyers' internal governance units have been profoundly weakened (if existent at all), it is probably more relevant nowadays to analyze legal practice in terms of a *weak* field (i.e., heteronomous and weakly structured internally) than in terms of a semi-autonomous professional field. A weak or interstitial field (Vauchez 2011) taken *in-between* well-established fields (states, markets and, to a lesser extent, the organized civil society) that compete over the definition of law's "special character" (to use Rueschemeyer's words). The structure of the book actually hints in such direction as Part IV ("Social Justice"), Part V ("The Market"), and Part VII ("The State") delineate the triadic structure (or gravitational forces) in which legal professions are taken (Karpik 1998), torn as they are between the service of civil society, corporate actors, and government institutions (the last two been often combined). Hence the variety of national models of lawyering that comparative researchers identify in the book depending on the balance between these three contending forces—some countries have been more "state-driven," some more "market-driven," and others featured by the "power of

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the bar" (see David Wilkins, David Trubek, and Bryon Fong's chapter in the volume). Hence also the variety of "monstruous" cases (or limit-cases) discussed in the volume in which lawyers appear as mere "enablers" enrolled into "grand corruption schemes" of money laundering and tax optimization (Mike Levi); or as the drivers of authoritarian turns deploying law and rule of law as a key tactic of autocratic regimes (Rafael Mrowczynski).

LOOKING FORWARD

As readers close the book, they will certainly feel the scholarly excitement of having expanded the scope of their sociolegal imaginations. And yet, they cannot escape a sense of dismay and disorientation as it seems that their very object of research has melted down before their eyes. At this stage, it would have been helpful to relieve the unfortunate soul with some forward-looking perspectives and suggestions about where future research efforts should be directed. While these future fields of inquiry are certainly many, I am tempted to suggest one that would bring this rich patrimony of social science research in closer contact with democratic theory—something sociolegal scholars have often been reluctant to do. As lawyers' independence and self-regulation face the combined pressure of neoliberalism and of the authoritarian turns, the capacity of law to provide a level playing field where causes and social claims can be recognized and come out ahead is increasingly questioned. While the book shows the continuing power of law and lawyers to shape social reality, it also points at the weakening capacity of law and lawyers to defend the democratic public, thereby forcing us to critically reconsider some of the hopes for social change and democratization that have been placed in law, lawyers, and courts over the past decades.

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