

because it would mean fewer struggling families living in one place; however, having low levels of incarceration spread out across many neighborhoods might further isolate inmates and their families. Likewise, several problems Clear attributes to incarceration—unemployment, stigma, antigovernment orientations, and nonvoting—also arise for probationers, although to a lesser extent. Further, if “coercive mobility” is the primary problem with incarceration, then sending people away to good programs such as rehabilitation or training might also damage communities. Conversely, if incarceration is problematic because it involves removal to a place that makes returning inmates worse off, then that merely suggests that policies should be aimed at improving prisons and reentry programs.

Instead, Clear calls for sentencing reform designed at ending mass incarceration, proposing fewer and shorter prison sentences in favor of community justice. This solution ignores the fact that hierarchies of power exist even in poor communities. Mass incarceration partly results from communities appealing to police and courts to impose the control they could not. As Clear’s interviews show, community members feel ambivalence about imprisonment and often support harsh penalties for people they believe are making the neighborhood worse. Nevertheless, in emphasizing the downside of using imprisonment to reduce crime, Clear advances the study of neighborhood crime control. His insights define an agenda for a new generation of scholars, including me. This work is a must-read for everyone interested in reviving disadvantaged neighborhoods.

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Governing Hate and Race in the United States and South Africa. By Patrick Lynn Rivers. Albany, New York: SUNY Press, 2008. Pp. 177. \$60.00 cloth.

Reviewed by Carolyn Tyjewski, University of California, Davis

According to the author, *Governing Hate and Race in the United States and South Africa* concerns itself primarily with “how the racial minds of these two states function as they regulate racist hate” (p. 1). Rather than examine the constitutional questions connected to this type of question, Rivers’s book poses questions about the everyday practices of state agencies to regulate racial hate, in a post-9/11 moment, and comes to three conclusions about how these two states regulate racist hate: (1) state agencies, within the United States and South Africa, “understand race and racial hate in ways that are rather strictly prescribed” (p. 2); (2) in both countries, “state offices . . . help bound race and agency in and through their

regulatory practices” (p. 2); and (3) in the process of reforming regulatory rationales and practices, the retraining of state agents has appropriated and utilized multicultural rhetoric that “has conveniently allowed the neoliberal state to absolve itself of racist hate, even as the state ironically propagates a legal ‘science’ and racial ‘science’ promoting a social fixity and stasis antithetical to the dynamism and openness promoted by progressive multiculturalists” (p. 9). Rivers utilizes a slightly altered version of Foucault’s governmentality to arrive at these three points.

Rivers takes a micro-level approach to the study of state regulation of racist hate. In doing so, he is able to question the state’s inability to deal with the nuances of various racial constructs in ways that macro-level approaches to these questions have been unable to do. In other words, by examining localized and individual events, the book is able to discuss the nuances and connections between and among multiple forms of oppression and the state’s inability to necessarily understand or regulate racist hate in a complex and meaningful way. While Rivers demonstrates the state’s inability to deal with these complexities, he also problematizes some of the proposed solutions of various scholars. For example, Delgado’s proposed race/hate tort is critiqued for reducing race “to a bit that must always be real and reiterable for a tort for racist slights to succeed, making no allowance for race that falls outside of modernist and positivist racial boundaries, and, thus, might be considered performative” (p. 47). In effect, both the perceived problem and solution, according to Rivers, reinforce the fixity of race within and through their attempts at regulating hate.

While the questions proposed in this book are intriguing and the comparative approach might have produced new and interesting approaches and/or ideas with regard to these questions, *Governing Hate and Race in the United States and South Africa* does not appear to do very much comparison of these two states’ regulatory processes, and, in fact, spends considerably more time critiquing the United States’s regulatory processes than South Africa’s. For example, Chapter 3’s discussion of tort is an exclusive discussion of U.S. tort law and proposed remedies to the problems of tort with regard to racist hate and its regulation. While this chapter, as already noted, is very good at exhibiting and discussing the nuances of the regulatory processes and analyzing proposed solutions, there is no discussion of similar regulatory processes within South Africa; consequently, this section of the book fails to be the comparative analysis the author suggests is the nature of the work.

This lack of real comparison between these two states and concentration on U.S. regulatory processes may have contributed to the lack of new findings or conclusions or approaches created by this work. In other words, while the work does demonstrate the three

points it is attempting to articulate, these findings are not new and have been articulated in various pieces of scholarship within ethnic studies, cultural studies, critical race, and critical legal studies. What would have made this book more interesting and unique—potentially contributing to a deeper understanding of state regulatory processes of racist hate—would have been the comparative study the author promises in both the title and the introductory chapter.

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Policing and the Poetics of Everyday Life. By Jonathan M. Wender. Urbana: University of Illinois Press, 2008. Pp. xii+243. \$40.00 cloth.

Reviewed by Jeffrey M. Lipshaw, Suffolk University Law School

Perhaps because the vast majority of social scientists experience their entire careers as such, they are able to maintain their objectivity about the subject matter of their research. As one who transformed late in life from businessperson and corporate lawyer to academic, I fully understand Wender's prefatory comment in *Policing and the Poetics of Everyday Life* that "a philosopher-cop must have been something of a fish out of water during his police career" (p. ix) and is no less an anomaly within the academy. This book's contribution arises directly out of that unusual juxtaposition of careers. While social scientists are bent upon making sense of data through objective analysis, philosopher-cops seek instead to understand how their lives have meaning. There is something about coming to terms with meaning that is different than merely explaining, and it entails addressing social science objectivity itself. Maybe there is something about the raw reality of urban life in America that provokes these reflections. Indeed, a well-known former community organizer noted in his own reminiscence: "There was poetry as well—a luminous world always present beneath the surface, a world that people might offer up as a gift to me, if I only remembered to ask" (Obama 2004:190–1).

Wender's project is an engagement with how the participants understand police-citizen encounters, and is no less rigorous than, say, gathering data and running regressions. "To the extent that every intentional activity involves the creation of meaning (poiesis), it constitutes a form of poetry" (p. 3), observes Wender. The book is an assessment of 15 years as a police officer, not as "the modern, bureaucratic problemization of human being" (p. 4), but as ontological exploration. In Wender's view, "mainstream social scientific research on policing remains largely cut off from the profundity of what happens on the street" (p. 5).