

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.

* * *

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).

The first half of the book is an exegesis of phenomenological philosophy, and, in particular, “phenomenological aesthetics of encounter” (pp. 8–11). The point is to counter the reductive mainstream of social scientific criminology with a “metacriminology” that combines phenomenology, hermeneutics, critical theory, and art to understand, rather than merely explain, the police response to domestic violence and juvenile crime (p. 9). The exegesis is tough sledding; phenomenology (transcendental and existential) puts aside objective social scientific inquiry to contemplate instead human consciousness that is capable of contemplating itself.

Wender questions not just the bureaucratic methodology, nor even its scientific underpinnings, but the scientific view itself, in which a culturally developed concept of the subject leads to an intersubjective outlook, which results in others being objects. He offers as an alternative the idea of co-presence, the way in which humans are meaningfully present to each other.

The second half of the book is a series of vignettes taken from his experience as a police officer. For example, his reflection on bureaucratic versus phenomenological treatment of the human gaze progresses from his interview with Melissa, a domestic violence victim (pp. 66–7), to his own sociological assessment of the interaction (pp. 67–9), to an interpretation of Manet’s *A Bar at the Folies-Bergère* and, more important, the insight it provides to the difference between his bureaucratic interaction with Melissa and a response that “can only emerge as the reply to an awareness of human presence that exceeds its conceptualization for the instrumental rational ends of bureaucratic praxis” (pp. 74–5).

The book suffers from a common malady of ambitious cross-disciplinary work: Who is the audience? There is likely not enough advancement in pure philosophy to satisfy the analytical philosophers, and I wonder how many participants in the criminal justice system are going to appreciate the phenomenological take. Moreover, the philosophical primer is probably far less elementary, and certainly less fathomable, than Wender thinks it is. The audience problem is compounded by Wender’s extensive use of the professional philosopher’s jargon.

Nevertheless, this is a valuable contribution. Many social scientists dismiss or decline to engage with critical theory (particularly critical legal studies) because we do not buy into the predominant theme that all social science is a reflection of power elites who sanction the hypothesizing. A more moderate and appealing view is that we are, after all, the subjects of our own social scientific observations, and so an occasional counterpoint that contests the privileged epistemic status of impartial third-party observation may well be in order (Bohman 2003:101–7). No doubt this is the futile navel-gazing that drives scientists and pragmatists to distraction.

Are we just arguing over different iterations of teleology, whether the order of the universe the scientist needs to presume, the underlying mystery of meaning that phenomenology seeks to reveal in the mundane, or the awe and wonder of consciousness (individual or collective) that inspires mystic religionists (Heschel 1955:5–9; Kushner 1990:xv–xix)? All we know is that something about the pure analytics of social science leaves us turning to poetry both to frame the question and express the answer.

References

- Bohman, James (2003) "Critical Theory as Practical Knowledge: Participants, Observers, and Critics," in S. P. Turner & P. A. Roth, eds., *The Blackwell Guide to the Philosophy of the Social Sciences*. Malden, MA, and Oxford, UK: Blackwell.
- Heschel, Abraham Joshua (1955) *God in Search of Man*. New York: Farrar, Straus & Giroux.
- Kushner, Lawrence (1990) *The River of Light*. Woodstock, VT: Jewish Lights.
- Obama, Barack (2004) *Dreams From My Father*. New York: Three Rivers.

* * *

The Degradation of the International Legal Order? The Rehabilitation of Law and the Possibility of Politics. By Bill Bowring. New York: Routledge-Cavendish, 2008. Pp. 243. \$170.00 cloth; \$59.95 paper.

Reviewed by Julia J. A. Shaw, De Montfort University Law School

This book provides a challenging and innovative outlook on human rights from the viewpoint of Russia; an interesting and refreshing perspective in an era apparently dominated by the triumph of Western capitalism. The orthodoxy of traditional Western-based notions of philosophy and law are tried and tested as the development of the Russian legal and political system is traced from Tsarist pre-Revolutionary times through 1917 on to the upheavals of the disintegration of the USSR in 1991 and beyond, to the present day. It is important to note that this book sets such developments against their sociocultural background as, from 1917 onward, the newly created USSR found a novel global position during the twentieth century. This book continues such analysis into the twenty-first century, as Russia, the successor-state to the former USSR, was likewise forced to discover a new world role from 1991 onward.

Various geopolitical themes, often contradictory, are explicated, such as the trend toward decolonialization contraposed with the increased realpolitik dependency of superpower satellites. This contradiction was a feature apparent on both sides of the Cold War. Bowring raises crucial questions such as: Could a Soviet republic