



that are unanswered, and the meaning of ‘political imaginary’ requires greater elucidation to underpin the project. At some level the distinction between visual representations and those in discourse is not so clear cut, and it would be interesting to know what difference it would make to see the two as related. Moreover, much of the book deals with textual evidence, historical and sociological analysis, and etymological derivation, all a long way from the initial emphasis on the visual representation of the state form. Furthermore, on p. 9, Neocleous states that ‘the idea of the body politic has been a central theme within the statist political imaginary’, but this is not such a bold claim once the imaginary is taken as visual, and indeed seems like a circular argument. In practice, the term ‘political imaginary’ is used as an umbrella term. In addition, the argument for the impact of the political imaginary on political thinking and practices needs to be made.

I would like to have seen this enterprise set in a wider context — what else is there at stake as well as the political imaginary, and what would the ‘political imaginary’ of a different political form look like? Without these contextualizations it is difficult to fully assess the importance and impact of what is under discussion in this book. While I found this a stimulating read, further attention to all these framing questions would have set out more fully the parameters of this enterprise, and so strengthened the book.

Raia Prokhovnik
Department of Politics,
Open University, UK.

The Politics of Jurisprudence: A Critical Introduction to Legal Philosophy, 2nd edition

Roger Cotterrell

LexisNexis UK, London, 2003, xiii + 324pp.

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The Politics of Jurisprudence is bound to be a different treatment of legal philosophy than the more usual fare, given that its author, Roger Cotterrell, is perhaps the foremost exponent of sociological jurisprudence. And, indeed, this work is different. Cotterrell is not satisfied with merely explicating what are the various features of particular legal traditions. Instead, he is concerned with uncovering how these traditions reflect the social context within which each arise. Moreover, he seeks to clarify the ways that the circumstances of



lawyers as a profession have shaped the course of Anglo-American legal thought.

The edition of *The Politics of Jurisprudence* reviewed here is the new and substantially revised second edition. Many of the chapters have been redrafted and Cotterrell also includes two new chapters: one on 'Class, Gender and Race' and another on the 'Deconstruction and Reconstruction of Law'. Here, he touches upon Marxist views of law; liberal, radical and postmodern feminism; critical race theory; the view of law as nonfoundational; and Derrida's contribution to legal thought, amongst other things. It was surprising to see these traditions (perhaps especially the Critical Legal Studies movement) missing in the first edition, promoted as 'a critical introduction of legal philosophy'. It is good to find this ground covered in the new edition.

The great strength of Cotterrell's approach in this book is that it reads far more as a story rather than as a piecemeal catalogue of various traditions for new students of legal theory to learn. Most introductions to legal theory have chapters on natural law, positivism, realism, pragmatism, etc. where each chapter is largely self-standing. Of course, one can learn much from Cotterrell's treatment, say, of Roscoe Pound's theory taken on its own. However, I enjoyed Cotterrell's style of discussing the various traditions within one longer narrative. In addition, I appreciated Cotterrell's use of creative pairings, offering us chapters such as 'Hart and Kelsen', 'Pound and Dworkin', and pragmatism and realism. I found it surprisingly useful to consider figures, such as Hart and Kelsen, side by side, more so than with more usual pairings, such as Hart and Fuller or Dworkin.

The end of the book contains a list of resources for future reading, organized by chapter and topic. Some of these topics are covered better than others. Perhaps the greatest surprise is the near complete absence of any mention of Judge Richard Posner's work. Not only does Posner lack an entry in the book's index, but also the only work of his mentioned in the book is his 1972 article on negligence in the *Journal of Legal Studies*. Given that Posner is the single most cited legal theorist alive, one would think that some discussion of his many important works would be merited (for example, his *Economic Analysis of Law*; *Frontiers of Legal Theory*; *Law, Pragmatism, and Democracy*; *Overcoming Law*; *The Problematics of Moral and Legal Theory*; or *Sex and Reason*), and not least he deserved some mention in any discussion of legal pragmatism and the use of economics in legal thought. The absence of Posner's work is perhaps the biggest gap still left to fill in the book.

Of course, this is an introduction to legal philosophy and many of its sketches of traditional figures in legal thought do not break new ground as such. However, each is presented succinctly and Cotterrell does well at giving us a novel way of thinking about legal philosophy as something that has a history, a history of responding to particular problems for law as a profession.



In short, *The Politics of Jurisprudence* is a highly original work that will no doubt benefit new students of legal philosophy immensely. I recommend it without reservation.

Thom Brooks
University of Newcastle, UK.

Chinese Marxism

Adrian Chan

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In a selective and distorted political tract, Adrian Chan argues for the continuity and appropriateness of a Chinese interpretation of Marxism, extending from Chen Duxiu and Qu Qiubai, the first two leaders of the Chinese Communist Party, to Mao Zedong and Zhang Chunqiao, a member of the Gang of Four. As the leading theorist and practitioner of Chinese Marxism, Mao is the most important of these figures, but Chan asks us to see Mao as carrying forward the projects of his predecessors and as providing a radical endowment for his successors. Chan admires and defends the Great Leap Forward and Cultural Revolution, but denigrates Deng Xiaoping's Socialism with Chinese Characteristics and Jiang Zemin's attempt to co-opt the new Chinese entrepreneurs into the Party through his doctrine of Three Represents. Chan complains that these reform-era developments undermine the democratic legitimacy of Communist Party rule through the dictatorship of the proletariat and foresees that they will replace Marxist socialism with a form of 'national socialism'. It is unclear whether he means to associate the reform programme with Hitler's national socialism or with the Chinese democratic movement of the same name founded by Zhang Dongsun in 1934. In either case, the claim is intended to be a slur.

In Chan's view, neither Marx's central analysis of the historical development and fate of modern industrial society in *Capital* nor the experience of Soviet Marxism provided a single correct model for revolutionary social transformation. In particular, Chan holds that Chinese Marxists understood local conditions in the light of Marx's *Civil War in France* and Engels' discussion of subjugated peoples. They saw that successful revolution would be possible in China, a society with rudimentary industry and a weak proletariat, because the Chinese peasantry gained revolutionary potential by being enmeshed in