

the book does not fully deliver on the promise of highlighting the strengths and weaknesses of different qualitative and quantitative methods. For the most part, this assessment is left for the reader to make. It clearly would have helped if there had been a stronger dialogue between the chapters. Alternatively, every chapter could have been followed by a few pages of commentary provided by a contributor of a different methodological bent. Despite these minor issues, the book is one step in bridging the schism between quantitative and qualitative approaches to empirical research. Let us hope there are more volumes like this to come in the future.

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Mathieu Deflem: *Sociology of Law:*

Visions of a Scholarly Tradition

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Some books inspire their readers with new insights and original ideas, while other books mainly repeat and summarise common knowledge in the field of the social sciences. Some books thus illuminate us by shaking and changing our knowledge, while other books aim to organise and turn it into a kind of canonical knowledge. This 'canon' subsequently contributes to the legitimisation of particular fields of the social sciences by re-telling their history and highlighting their major theories and themes. Mathieu Deflem's *Sociology of Law: Visions of a Scholarly Tradition* certainly belongs to this category of books. It does not tell you something you always wanted to know about the sociology of law but were afraid to ask. It does not reveal anything original about major historical developments, theories, and prominent scholars in this field of social science, nor does it give information about the most recent currents of socio-le-

gal research and their theoretical contexts. Nevertheless, it still represents a highly valuable text that will be enjoyed by undergraduate and postgraduate sociology of law students but also by the diverse community of sociologists of law and socio-legal scholars in general.

One of the most valuable aspects of Deflem's book is its summarisation of the historical developments and theoretical foundations of the sociology of law. After obligatory comments on Montesquieu, Tocqueville, Maine, Marx, Spencer, Sumner and Simmel, in the first part of the book entitled 'Theoretical Foundations of the Sociology of Law' Deflem predictably outlines and contrasts the Weberian and Durkheimian traditions and their foundational role in the sociology of law. Paying the same attention to both the Weberian tradition of 'the rationality of modern law' (pp. 43–48) and the Durkheimian tradition of 'law as an indicator of moral solidarity' (pp. 61–66), Deflem joins the growing number of scholars revisiting and reassessing Durkheim's sociology and recognising its importance for the sociology of law.

In the second part, 'Developments and Variations of the Sociology of Law', Deflem responds to the growing interest in continental European sociologically minded legal theorists and sociologists of law. The fourth chapter sketches small portraits of individual scholars, such as Eugen Ehrlich, Theodor Geiger, Leon Petrazycki, Nicholas Timasheff, Georges Gurvitch and Pitirim Sorokin. In this context, Czech readers may be surprised that the last three scholars lived and worked in Czechoslovakia in the 1920s. Unlike Roman Jakobson and other Russian linguists, who actively participated in the formation of the Prague Linguistic Circle and thus fundamentally influenced structuralist linguistic theory, Timasheff, Gurvitch and Sorokin, unfortunately, did not have the same influence on developments in Czech social and legal sciences and their work has yet to be discovered

and revisited by Czech sociologists and lawyers. The fifth chapter contrasts the European sociological study of law to theoretical developments in the United States and again summarises the main thoughts and ideas of the American legal realist tradition, especially those of Oliver Wendell Holmes, Jr., and Roscoe Pound. The chapter's title 'From Sociological Jurisprudence to Sociology of Law' echoes the famous article 'Sociology of Law and Sociological Jurisprudence' written by Pound in 1943, in which the author highlighted limits of sociological jurisprudence as a practically oriented, anti-formalist, and social-value informed branch of legal doctrine. Emphasising rather the sociological character of the sociology of law, Deflem subsequently focuses on 'the radical break towards the subfield of the sociology of law' (p. 116), which allegedly was offered by Talcott Parsons. According to Deflem, Parsons's sociological theory provided a powerful paradigmatic alternative to the theoretically and methodologically limited treatment of the sociology of law by legal scholars. The sixth chapter, 'Sociology of Law and the Antinomies of Modern Thought' covers a great variety of sociological theories and schools, such as conflict theory, the Frankfurt school and Marxism, the normative socio-legal projects of Philip Selznick, hermeneutical sociology, and behaviourism. This is probably the weakest chapter, as it is full of fragmentary remarks and caricatures of complex theoretical knowledge and individual scholarship.

According to Deflem, the ascent of structural functionalism eventually liberated the sociology of law from the narrow field of legal science and made it an intrinsic part of sociological knowledge. No wonder that Deflem's treatment of socio-legal problems and themes draws heavily on Parsons's analysis of the legal system's integrative function and the role of law in relation to other differentiated sub-systems of society. Rather than reformulating the

functionalist paradigm in the manner of current social systems theories, Deflem retrospectively aims at utilising Parsons's systems theory and reconstructing the Parsonian outline of the sociological dimension and problems of law in the third part of the book 'Sociological Dimensions of Law' and the final part 'Special Problems of Law'.

Following in Parsons's footsteps, Deflem divides the third part into four chapters: 'Law and Economy: the Regulation of the Market', 'Law and Politics: the Role of Democratic Law', 'Law and Integration: the Legal Profession', and 'Law and Culture: the Balance of Values through Norms'. However, individual chapters are not mere illuminations of the Parsonian structural functionalism and include a lot of additional theoretical and general sociological information. The chapter on law and economics uses institutionalist perspectives and the sociology of organisations as a counterpoint to the economic determinism that used to dominate the paradigm of business regulation and corporate legality. The chapter on law and politics primarily focuses on Habermas's discourse theory and the complexity of relationship between legality and legitimacy discussed between Habermas and Luhmann in the 1970s and the 1980s. In this context, it is a great pity that Deflem needs only a couple of pages to discuss Luhmann's autopoietic systems theory (pp. 167–168, 178–179) and does not comment on its origins and critical assessment of exactly Parsons's structural functionalism. This chapter, therefore, hardly gives a realistic picture of the complexity and exceptionality of the polemics between Habermas and Luhmann and their impact on current social and political theory and philosophy.

As regards the role of law in social integration, Deflem treats the whole issue as primarily a problem of expert knowledge and the legal profession. Addressing the issues of the diversification of the legal profession and its activities, he also deals with the more general problem of the di-

versification of jurisprudence and its programmatic politicisation by the Critical Legal Studies movement. Some themes of the CLS and critical jurisprudence subsequently spill over to the next chapter, which focuses on selected problems of law and culture and cultural diversity. While Deflem's assessment of the theoretical themes of postmodernism and deconstruction in law is disappointingly superficial, sections addressing issues of class, gender, and ethnic legal inequalities are more informed and persuasive. Deflem also highlights the paradoxes of the integrative function of law in contemporary societies when he states: 'Under conditions of increasing diversity, the primary function of law becomes both more necessary as well as more difficult to accomplish. ... In the light of the complex interplay between culture and law, the limits of law's integrative capacities are revealed, and, ironically, law is shown to accelerate cultural debate and conflict over important moral questions. Thus, as much as it was true in the days of Durkheim, modern law remains a crucial indicator of a society's capacity to maintain social integration and preserve the peaceful co-existence of a plurality of lifeworlds.' (p. 224).

Following this fundamental and, indeed, disputable claim, the final part, 'Special Problems of Law', focuses on problems of the enforcement of law (Chapter 11) and the globalisation of law (Chapter 12) and the whole book closes with a very brief summary on the 'Visions of the Sociology of Law'. Deflem's 'visions of a scholarly tradition' contribute a great deal to the historical and systemic organisation of the different schools and theories of the sociology of law in Europe and the United States. These visions are less convincing in terms of the author's choice of theoretical tools and conclusions. However, Deflem's continuing engagement in Parsons's structural functionalism, which is not typical of the sociological theory of law today, is generally interesting because it revives some

perspectives and themes recently neglected by both theorists and field researchers. Emphasising the sociological foundation of analysis of the legal system and its integrative function in modern society, Deflem, nevertheless, is aware of the peculiar ability of law to successfully monopolise its own observation. One of his main efforts, therefore, is to continue in Weber's sociological project and liberate the sociological study of law from its juridical roots. Deflem succeeds in his effort by mainly broadening the different fields of the sociological study of law and reformulating them as part of the sociological rather than the juridical tradition.

Though it may be questioned whether the contemporary sociology of law still needs such a robust and principled defence of its intellectual maturity and disciplinary autonomy, Deflem certainly offers a complex picture of the theoretical richness and historical diversity of the sociology of law and its roots in modern political and philosophical thought. Indeed, theoretical and methodological problems of the relationship between the sociology of law and the legal sciences will not wither away. In sum, Deflem's *Sociology of Law: Visions of a Scholarly Tradition* significantly contributes to the clarification of the disciplinary contours of the sociology of law.

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B. Marin and E. Zolyomi (eds.):
Women's Work and Pensions:
What Is Good, What Is Best?
Farnham, 2010: Ashgate, 321 pp.

In the spate of books and reports about pension reform in response to ageing populations, the effectiveness of pension systems in providing adequate independent pensions for women has generally been overlooked. This book is a welcome excep-