

mann 2012: 120–123]. In any case, it is not made clear to the reader why this was done.

The problem, then, is that the reader, even one very familiar with QCA, is left helpless in trying to determine for him or herself the validity and implications of the analysis. Added to this is the fact that they do not offer measures of fit. In the case of QCA these are measures of consistency, which checks the certainty with which we can claim that certain conditions or conjunctions are necessary or sufficient, and coverage, which assesses the relevance of those conditions [Schneider and Wagemann 2012: 124–150]. Therefore, it is left unclear to the reader how the conclusions were reached, and how important these conclusions are. Overall, the problem here is one of a lack of transparency, where the authors needed to further justify and explain their particular analysis in order for the reader to be able to evaluate their results independently.

This said, these shortcomings are more technical in nature. They do not in themselves lessen the relevance of the methodological argument as to whether QCA should be applied as a method to study health inequalities. This, and the book's many other theoretical, methodological, and empirical contributions, make it a highly relevant contribution to the literature. Beyond that, the many policy insights it offers from the reviews of programmes attempted in the UK make it a book that will be interesting not only to students and scholars, but also to policy practitioners.

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References

- Blackman, T., J. Wistow and D. Byrne. 2011. 'A Qualitative Comparative Analysis of Factors Associated with Trends in Narrowing Health Inequalities in England.' *Social Science & Medicine* 72 (12): 1965–1974.
- Evans, R. G., M. L. Barer and T. R. Marmor. 1994. *Why Are Some People Healthy and Others Not? The Determinants of the Health of Populations*. Piscataway, NJ: Transaction Publishers.
- Ragin, C. C. 2014. *The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies*. Berkeley, CA: University of California Press.
- Schneider, C. Q. and C. Wagemann. 2012. *Set-theoretic Methods for the Social Sciences: A Guide to Qualitative Comparative Analysis*. Cambridge: Cambridge University Press.
- Kyle McGee: Bruno Latour:**
The Normativity of Networks
Abingdon and New York 2014: Routledge, 249 pp.
- Bruno Latour is undoubtedly one of the most important sociologists in the world today. In the area of law, he has mostly assumed the role of ethnographer, especially in his work *La Fabrique du Droit*, although he also writes from the viewpoint of a legal philosopher in the book's last chapter and in his inquiries into modes of existence, often in collaboration with academic followers. Latour's ideas about law are not confined to just these two areas, but can be traced throughout his writing. Due to its somewhat fragmented nature, the development of Latour's research of law deserves to be studied in a comprehensive manner. This book represents perhaps the first study devoted to legal themes in his prodigious body of work. It should be added that Latour himself approved the book before its publication and that McGee was one of the participants in Latour's AIME project. Despite the initial claim that the book's aim is to introduce Latour primarily to a readership of lawyers and socio-legal theorists, this is not an introductory book. Nor does it explore the historical or bibliographical links between Latour and law. Instead, it is a highly sophisticated and unusual account of socio-legal theory, whose inner logic stands or falls with the mutual

(lack of) correspondence between the concept of normativity and Latour's methodological and theoretical approach.

The author takes a slightly different perspective in each of the book's four large chapters. Although this approach makes the book thrilling reading, these subtle shifts in position are not explicitly clarified, and it is thus up to the reader to discern their meaning. The preface convincingly argues for the resolute abandonment of conventional philosophies of law (especially positivism and its many variants), which are defined by the divide between facticity and normativity in favour of a more realistic description of law from the perspective of actor-network-theory (ANT). The first chapter can be seen as a sort of introduction to the basic theoretical and conceptual equipment of ANT that allows it to understand law where it is really located; in a 'no-man's land between is and ought'. The second chapter relativises the political dimensions of research in the field of comparative law through Latourian empirical and philosophical inquiry. The third chapter is primarily an attempt to establish a link between Latour and critical legal theory. The fourth chapter declares that Latour established a new way of thinking about law that is not easily understood by the modern mind and must therefore first be slowly learned. The concept of normativity, though seemingly rejected in the preface, acts as an overarching principle, for it seems that the book's aim is to redefine the concept.

In fact, normativity as a counterpart to facticity is not discarded entirely; instead, it is redefined as a subject of description in which its boundary with facticity remains somewhat unclear. Since the distinction between law and fact does not work as a starting point for empirical research, an ethnographic description is needed to determine the actual essence of norms, which lies somewhere in their links to the world. McGee contrasts such a description to the

normative approach of legal philosophy and theory, which studies norms in splendid isolation and is thus a perfect example of what Latour calls the premature closure of the description of the studied cosmos. The book could thus be read as an argument for reassembling normativity as an autonomous sphere into the normativity that is found in and associated with social and natural reality, which corresponds with older ways of thinking in the anthropological study of law. McGee argues against the prospective tendency to establish the normative dimension of networks, in favour of the idea that law, like anything else, is composed of networks with no essential 'legal' quality when compared to other 'modes of existence' or 'regimes of enunciation'. Such an interpretation can be based on statements such as 'norms are actors like any other' (p. 46). Here, the possessive relationship moves in a direction from normativity to networks and not the other way around. Normativity as a possessor thus depends on, and is composed of, networks.

The first chapter explores the area between normativity and other concepts in Latour's research and theoretical work. From the opening statement that 'the laboratory is also a law court' (p. 2), we follow the thread of various basic ANT terms and theories from science and the laboratory to trials of weakness and strength, black boxes, purification, mediation and translation, theories of error and subtle perceptions, fact and arte-fact. We encounter, for instance, nature as a juridical object (p. 14) and explore the foundations for the analogies of context vs content, fact vs value, science vs law, non-human vs human, and West vs the rest (pp. 26–29). Many concepts, such as conditions of legal veridiction (truth-telling), the theory of figuration from narrative semiotics, and pulsions (from Lacanian psychoanalysis) are illuminated much more than in Latour's own thoughts. Some of them are presented by

Latour as *dei ex machina*, and McGee helps to understand them better. Some, such as crisis, decisions and means, are so vaguely defined by Latour that they require an extensive elaboration. The chapter aims to provide a 'template of associations' as an empirical universal, but is there not something incompatible between ANT and universality as an axiom? Perhaps this is why universality—and the self-reproduction of norms and facts as well—is conceptualised as being dependent on the extensity of actor-networks.

Although these topics' relationship to law is sufficiently illuminated, the author's choice as to which basic Latourian concepts to discuss and which to omit is not well-founded. For instance, in explaining the distinction between mediator and intermediary using only the example of non-humans (pp. 34–35), he takes for granted that the reader will be familiar with the central concept of 'non-human'. Also, the chapter apparently does not discuss the legal metaphor of the modern constitution in its entirety. McGee only calls for revisiting the constitution, but the concepts of purification, mediation and translation are detached from its more complex idea and hypothesis. As a result, the discussion of this concept also requires that the reader be familiar with the subject in advance. From his position as a socio-legal theorist, McGee's justification for the conceptualisation of law through its actual effect (or sometimes 'normative effect'; p. 55) closely resembles Malinowski's functionalism in social anthropology, but the relationship between those two perspectives remains unexplored. McGee's conceptual blend of norm, habit, and enactment diverges from the analytical distinction between law and custom in legal anthropology.

McGee legitimately uses the concepts of law and normativity in the views of Luhmann [2004] and Habermas [1988]—like in the case of legal positivism—as examples of black boxes that need to be opened in

order to study their internal clockwork-like complexity. In this way, normativity is translated from the conventional language of sociological jurisprudence or legal sciences in the broadest sense in order to make it available to ANT and science and technology studies. McGee's apparent aim in this chapter is to answer the question of whether law is another actor-network or whether law exists outside such networks (meaning that ANT cannot be applied to it), with the aim of identifying the specificity of 'legalness' in both cases.

The second chapter aims to relate the (cosmo)politics of comparative law to 'research in the wild' (p. 122). It draws on the Latourian assumption that there is no *essential* difference between ideology and 'pure' legal thought, and therefore the contrast between 'secluded, fragmented' research, founded on a metalanguage, and 'wild' research, which instead takes the legal anthropologists' approach to the law of Others, is taken as the more veridical. When comparing various legal systems, this metalanguage (which according to McGee indicates a poor legal comparison) is thus contrasted with anthropological and ethnographic methodology. The politics of comparative law is critically seen in its involvement in the classic and baroque (neoliberal) world harmonisation of law and in the processes involved in inventing 'minor harmonies' (p. 99). McGee also relates his ideas to the work of prominent comparative lawyers such as Sujit Choudry, William Twining, and Esin Örüçü.

Although the third chapter is entitled 'Legal Anthropologies' and McGee mentions several legal anthropologists, it has almost nothing to do with the anthropology of law. It refers instead to the chapter 'Anthropologies' in the section of *The Pasteurization of France* entitled 'Irreductions' [Latour 1988: 192–211], which argues against the notion of the isolated individual and other untenable simplistic schemes contained in modern disciplinary traditions.

The chapter conceptualises law as an institution in the Latourian sense—as ‘law in terms of its mode of construction’ (p. 128). Living law is to be re-opened in a manner analogous to how living science was re-opened in Latour’s best-known works. In this respect, McGee is most attentive to the chapter ‘The Passage of Law’ in Latour’s ethnography of the Conseil d’Etat [2010]. Further, he follows the historical trajectory of critical legal studies and the normativity ideas of particular protagonists such as Hart, Kelsen, McCormick, Derrida, Schmitt, and Pashukanis. This section is an introduction to their demarcation of social and legal reality for ANT scholars. The demarcation of normativity and its (undesirable) contamination is also conceptualised through legal terms such as fragility, integrity, purity, threat, danger, and impurity. It is probably in relation to this line of legal thought that he postulates the concept of ‘anti-jurisprudence’ (pp. 147, 163) as an extensively contaminated description of law with many desirable cases of empirical pollution—taking the imminent consciousness of networks within normativity as the most typical processes of the contamination of conventional legal science.

In the fourth chapter, McGee criticizes Latour as an ethnographer who has remained ‘gripped by law’ (p. 219) and postulates that ‘we must learn to encounter law’. Since modern law appears to us as a fully-fledged fact (objective law), the only way in which a social scientist can enter this distinctive and locked-up ontological regime is to re-open it as an arte-fact, as law in the processes of its making and contestation. Since the social existence of objective law, just like science before it, has

been encapsulated within legal superiority over other areas of culture, McGee claims that it requires an ‘ontological comparison’ with other modes of existence (instead of other legal equivalents in the sense of comparative law). Sociological enquiry thus studies the associations that make up legality and not the mutual influence between law and society, since this other view still maintains a visceral divide between normativity and facticity.

McGee possesses a clear understanding of Latour’s oeuvre and respects his fundamental tendencies, projects, and intentions. He capably establishes links and interrelationships between Latour’s ANT and his own disciplinary tradition, which seems to be primarily socio-legal and critical legal theory. For instance, McGee uses ethnography to philosophise about law in a sensible way. This book is best described as an interdisciplinary text attempting to connect two disciplinary traditions, or as a kind of translation of law and legal theory for ANT and STS scholars.

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References

- Habermas, J. 1988. *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*. Cambridge, MA: MIT Press.
- Latour, B. 2010. *The Making of Law. An Ethnography of the Conseil d’Etat* [La Fabrique du droit]. Cambridge: Cambridge Polity Press.
- Latour, B. 1988. *The Pasteurization of France*. Cambridge, MA, and London: Harvard University Press.
- Luhmann, N. 2004. *Law as a Social System*. Oxford: Oxford University Press.