Book Reviews

Bill Bowring

Law, Rights and Ideology in Russia: Landmarks in the Destiny of a Great Power
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This book, by an outstanding connoisseur of Russian law and legal culture, already has attracted the attention of several reviewers,¹ which comes as no surprise given the author’s worldwide reputation. In undertaking one more review of Law, Rights and Ideology in Russia by Bill Bowring, I have chosen to focus on the problems that were not discussed by these other reviewers.

The general structure of the book initially provokes a bit of astonishment since the various subject matters, at first sight, are not thematically interconnected—ranging from the Great Reforms of the 1860s to sovereign democracy, the death penalty, and the legal philosophy of Evgenii Pashukanis. When one starts reading the volume, this astonishment gradually grows into respect for the broad Weltanschauung of the author, encompassing such a variety of themes and using them to assert a number of “landmarks” putatively recurrent in Russian legal culture. However, I am unable to identify what these landmarks exactly are. Unless there is something that I have overlooked, they are not explicitly articulated in the book. Undoubtedly, the author had in mind that there is a constant influence of ideology on how law and rights are perceived, formulated, and applied in Russia. Still, this influence is generally supposed to be omnipresent in human societies. Thus, does Russia represent a special case as compared with the West and the East? Instead of giving a direct answer to this extremely

complicated question, the author chooses another strategy: deploying a number of historical sketches that describe (or attempt to describe) particular aspects in Russia’s legal development. The principle that provides the basis for this collection of sketches seems to be rather intuitive, but given Professor Bowring’s deep knowledge of Russian culture, one surely can rely on his intuition and explore, along with him, the intricacies of Russian legal history.

In the preface and in the postscript, Bowring provides his readers with some autobiographical details and, also, formulates his credo as concerns studying and describing Russian (legal) culture. The author explains that he began studying Russian language and culture as a child, under the influence his mother (pp.208–210). His visit to Russia (the USSR) in 1983 inspired in him a love for Russia (p.207), and his marriage with a Russian woman in 1989 only reinforced this attitude toward Russian culture (pp.210–211). His persistent research in Russian law and politics—something in which he has been engaged for more than three decades—has brought him many Russian friends and colleagues. As such, the list of these Russian contributors in the book’s Acknowledgements (pp.vii–viii) serves as an indicator of just how well grounded Bowring is in the “Russian question”. Here, on the one hand, Professor Bowring looks at Russia from the point of view of a person who has internalized the culture of the country that he is describing. On the other hand, the author does not completely transcend the border of his native culture and looks at Russian law also from an English point of view, exploring the influence of British culture upon Russian legal culture in the era of Enlightenment (pp.21–32) and drawing insightful parallels between Russian and English conservative ideologies in the XXI century (pp.206–207). This existential perspective itself explains the intrinsic value of the volume to readers who, logically, can expect an unbiased and professional analysis of Russian legal culture from the author, who places himself between the Western and Russian perspectives without endorsing (or condemning) either of them as inferior or underdeveloped. This expectation is not betrayed, and Professor Bowring deploys stimulating historical, philosophical, and legal analyses that cover a time span of more than two centuries.

In fact, the introductory historical analysis goes back even to the Middle Ages, “to the very beginnings of Russia” (p.16). It is this part of the book, however, where Professor Bowring relies on the unverified narratives of Geoffrey A. Hosking,2 that turns out to be the weakest: the intriguing analysis of Marx’s

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2 This revered researcher published a series of important books on XX-century Russian and Soviet history but, also, authored a controversial work entitled Russia and the Russians: A History (Harvard University Press, Cambridge, MA, 2001), which includes an imprecise account of early Russian history. Unfortunately, it is this book that served as a source of inspiration for Professor Bowring who, otherwise, could have used a more reliable direct source,