Book Reviews

William B. Simons (ed.)

*East European Faces of Law and Society: Values and Practices*


€142.00 $184.00 ISBN: 978-90-04-27257-6 (hardback)

The volume reviewed here, *East European Faces of Law and Society: Values and Practices*, was long overdue and is extremely welcome. Despite the passage of a quarter-century since the fall of communism—and the flourishing of social science and humanities research in the post-Soviet space broadly defined—socio-legal research and writing has been catching up more slowly.¹ True, there have been outstanding works, particularly those with a historical lens—such as Inga Markovits’ 2010 *Justice in Lüritz*²—as well as a well-developed body of work on constitutionalism, the rule of law, and transitional justice.³ Certain areas of research receive more attention than others, for example, crime, legal reform, and law and politics.⁴ But there remain wide-open areas: in particular, there have not yet been any comprehensive reviews of the region from a law-and-society perspective.

The current volume begins to fill in some of this space and belongs to a body of work produced under the auspices of World Congresses organized by the

---

¹ I will be using “law and society” and “socio-legal” interchangeably to reflect the comparable scholarly traditions focused on the interdisciplinary study of law around the world.


³ A very small sample would include, for example, the works of Martin Krygier on constitutionalism and the rule of law; Jiří Příbáň on sociology of law, legal philosophy, constitutional and European comparative law, and the theory of human rights; Wojciech Sadurski on constitutionalism and rights in the region; Kim Lane Scheppele on constitutionalism; and Lavinia Stan on transitional justice.

⁴ For example, the works of Katherine Hendley on Russian courts; Leslie Holmes on corruption; Maria Popova on judicial politics in Russia and Ukraine; Peter Solomon on criminal justice in Russia; and Alexei Trochev on judicial politics.
International Council for Central and East European Studies (ICCEES) and published, in part, in the Law in Eastern Europe (LEE) series. Both LEE and its related quarterly, Review of Central and Eastern European Law, play a crucial role as primary sites for academic work on law and society in the region. The chapters in this book were originally presented at the VIII ICCEES World Congress, held in Stockholm in July 2010. Prior ICCEES volumes in LEE—all edited by Professor Ferdinand Feldbrugge—including Russia, Europe, and the Rule of Law (2006), Law in Transition (2002), and The Emancipation of Soviet Law (1992). The current volume, similarly to Law in Transition, has a regional and comparative focus (both within CEE and, sometimes, including countries outside the region), which is one of its greatest strengths. The volume is edited by William Simons, who also is the LEE general editor, a Visiting Professor at the University of Tartu’s Institute of Constitutional and International Law and Centre for EU-Russian Studies, and Emeritus Professor of East European Law at Leiden University.

The contributors to the volume reflect the geographical and generational breadth of researchers working on the region, tend to hail primarily from the disciplines of law and political science, and are located in Europe and Australia (long a welcoming home for academics working on the CEE region). Of the nine chapters in the volume, seven focus on contemporary issues, primarily public law, governance, and corruption, and two have a historical dimension. All have been substantially revised since the 2010 Stockholm Congress. I will discuss each chapter—some of them at length, others more briefly—and end by noting key strengths and weaknesses of the volume, as well as suggesting some future areas of research for the region.

The first chapter is both timely and highly valuable, as it concentrates on popular legal culture across Europe, with special attention paid to the Muslim minorities in the five countries studied. The author, William Miller, is Emeritus Professor of Politics at Glasgow University and an esteemed contributor to post-communist studies. He defines “popular legal culture” as attitudes toward the law and perceptions of the law (in action). This understanding of popular legal culture is quite close to the concept of legal consciousness. Unlike legal-consciousness studies, however, it is rather static and does not

---