

high. A lack of procedural justice further contributes to litigants' disenchantment. Access to justice can shape a legal culture that is conducive to asserting rights, but if litigation results in denial of a claim of violation of rights, "the experience of disempowerment goes beyond the outcome of the dispute" (p. 392).

Woo concludes forcefully. She argues that the essays in this volume have exposed unmet expectations, the impact of historical determinism, the fragmentation of different sources of law, and alienation from law as a byproduct of lawyers' professionalization. Greater participation and rights consciousness do not necessarily create better justice. Woo would like to see mechanisms for dispute resolution raise citizens' consciousness of their rights and thereby change China's legal culture. She goes so far as to say that "legal technicalities have replaced legal justice" and concludes that until law reformers become more aware of these issues, it will be impossible to gauge the future of the role of law and courts in China.

* * *

Making Rights Real: Activists, Bureaucrats, and the Creation of the Legalistic State. By Charles R. Epp. Chicago: The University of Chicago Press, 2009. 358 pp. \$24.00 paper.

Reviewed by Anna-Maria Marshall, University of Illinois,
Urbana-Champaign

Charles Epp's fascinating new book analyzes the dynamics of how bureaucracies respond to political and social demands for law reform. Epp situates his analysis in long-standing debates about the nature of expanding legalism in American political and organizational culture. In differing accounts, this expansion might be attributable to successful social movements that won important reforms reflecting new rights claims; or it might represent an encroachment on the professional discretion and prerogatives of organizational actors who fear liability; or it might be nothing more than institutional mimicry of popular public norms that actually require few significant changes in the way an organization operates.

Epp's analysis introduces a fourth possibility: that reform-minded professionals in bureaucracies have actually welcomed the "fertile fear" of liability and have adopted law reforms holding the bureaucracies accountable. Activists seeking institutional change stoked that "fertile fear"; they participated in networks of civil rights lawyers and progressive policy reformers that filed lawsuits

challenging existing practices. Within the relevant bureaucracies, professionals leveraged those lawsuits to pressure their reluctant colleagues to adopt meaningful changes that protect the rights of marginalized groups.

These interactions introduced to administrative agencies what Epp describes as a system of “legalized accountability”—“administrative systems that are legally framed and comprehensive”—characterized by reformist policies reflecting a commitment to legal norms. These systems also include training and communication programs that signal the importance of these changes to the organizational culture. Finally, legalized accountability involves internal oversight aimed at assessing compliance with the policy and investigating violations. While legalized accountability represents a widespread trend across bureaucracies, Epp acknowledges that it takes hold more strongly in some agencies than in others. He argues that this variation is attributable to differences in the local strength of activist networks, the commitment of professional connections, and the interactions between activists and professionals.

Epp illustrates the dynamics of this process by relying on three case studies: sexual harassment, playground safety, and the primary focus of the book, policing reform in which civil rights lawyers and sympathetic professionals combined forces to challenge abusive police practices. Epp shows that starting in the 1950s and expanding into the 1960s, there was an increasingly favorable legal environment for tort-based remedies for civil rights violations. Out of this legal environment emerged a small but active network of lawyers who specialized in police misconduct. These networks gradually expanded as the cause lawyers began organizing conferences and conducting seminars about how to pursue such litigation successfully. These developments in the legal system were accompanied by wider media coverage of police abuses, especially police brutality, and that wider attention helped make police misconduct a matter of general political debate.

While the prospect of civil liability grew more threatening, reformers within police bureaucracies proposed adopting systems of legal accountability to curb the abuses and to restore a sense of legitimacy to police organizations. Writing in professional journals, giving speeches, and generating official reports, these reformers admitted that excessive force and police shootings were problems. They proposed adopting rules, such as restrictions on when police officers could use guns, to bring those problems under control. These mutually reinforcing efforts by activists and professionals brought about a wave of reforms that imposed new rules on police practices in order to curb the use of excessive force. Police departments also introduced new training programs to reinforce those rules among individual police officers and adopted investigative

procedures that uncovered police brutality and ensured that the new standards were being observed in the field.

Not every police department has instituted a meaningful set of reforms, however. Epp acknowledges that legalized accountability can amount to little more than window dressing, an effort by policing organizations to comply with institutional developments without actually producing any meaningful change. Yet his model shows that the depth of a local department's commitment to reform varies according to the strength of the local legal advocacy networks' challenges of police misconduct and the department's connections to professional networks.

Epp's book makes any number of important contributions to many different fields. For example, our existing models of law and organizations portray legal regulation and oversight as a threat to organizations, one whose impact can be minimized but is a threat nonetheless. Epp offers another view: that managers and professionals within those organizations are often acutely aware of the need for reform and are themselves frustrated by the slow pace of bureaucratic change. Epp suggests our models need to include the interests of these professionals in our accounts of the impact of litigation. Yet Epp's book will be interesting to scholars beyond law and organizations. The book contributes to rights mobilization research by situating social movement litigation in wider networks of allies and interests, providing much-needed context for understanding how rights movements work. Students of social movements should consult Epp's framework as they assess social movement impacts. And cause-lawyering researchers could take up Epp's account of advocacy networks that include not just activist attorneys, but also experts and management professionals working together.

* * *

Alibis of Empire: Henry Maine and the Ends of Liberal Imperialism. By Karuna Mantena. Princeton: Princeton University Press, 2010. 296 pp. \$42.00 cloth.

Reviewed by Geetanjali Srikantan, Centre for the Study of Culture and Society

Over the past decade, research on the nature of empire and colonialism has been transformed by Uday Singh Mehta's (1999) path-breaking work on the complex relationship between liberalism and