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*Women's Lives, Men's Laws*. By Catharine A. MacKinnon. Cambridge: Belknap Press of Harvard University Press, 2005. Pp. 576. \$39.95 cloth.

Reviewed by Justin Reinheimer, University of California, Berkeley

An important and wide-ranging collection, *Women's Lives, Men's Laws* includes more than 20 years of MacKinnon's feminist enterprise. Part defense, part update, part preview, the compilation forcefully defends the notion of women as a group, examines feminism's successes and setbacks, offers visionary strategies to end women's inequality to men, and sets the stage for an upcoming companion volume on the international arena, *Women's World, Men's States*.

In earlier work, MacKinnon famously theorized law as a potent expression of the socially male state, tracing its power along the legal lines of public and private, coercion and consent, difference and dominance, and morality and politics. Much of *Women's Lives, Men's Laws* interrogates the many places these notions of male power can be found and have traveled since their original articulation. For example, MacKinnon provides a structural privacy analysis of the Violence Against Women Act's demise, analyzes the Equal Rights Amendment and liberal feminism in terms of difference and dominance, and further develops alternatives to existing laws against sexual violence grounded in material harms rather than ethical objections. But *Women's Lives, Men's Laws* does more than analyze new issues with existing (if widely unrealized) theory. The compilation elucidates two crucial aspects of MacKinnon's feminism that have been largely implicit in prior published work: her methodology and her equality theory.

Responding to the charge that her feminism is "essentialist," MacKinnon details the origin of her theory in the experiences of

women's lives in all their particularities. MacKinnon maintains that while gender is structural, discerning commonalities in experience is not the same as searching for an essence, that what others see as blanket assumptions about women are actually hard-won discoveries about the scope and prevalence of practices of sex inequality, and that the very term *women*, with its recognition of a people sharing a hierarchical status, is an empirical statement about a group's reality. The method of proceeding "from practice to theory" is apparent in MacKinnon's approach to the many practices and manifestations of male dominance. For example, MacKinnon's approach to prostitution as sexual slavery has an inextricability with race and class in part because of her accountability to the empirical evidence indicating that, far from prostitution being a free choice, most women found in prostitution suffered abuse as children and have the fewest choices in society.

In MacKinnon's analysis, much of the move to deny the reality of women as a group derives from the fact that *woman* is a stigmatized identity and, as such, the inclusion of men in any group raises its status and makes any harms done to it more real. However, MacKinnon maintains the importance of recognizing women's experience *as women* and the omnipresent but not exclusive importance of the hierarchy of gender. Put differently, in contrast to purely academic feminism, MacKinnon eschews theory built without practice and maintains her commitment to engagement with actual women's problems in the real world. As MacKinnon writes in response to those who obscure reality or retreat into abstraction and regress without engaging in the status and experiences of women that social science has helped document, this seems like a good time to reiterate the importance of "keeping it real."

The other new key contribution of *Women's Lives, Men's Laws* is its explicit, sustained treatment of the deep flaws of mainstream equality theory and the potential for an alternative. Drawn from translations of Aristotle, the mainstream conception of equality widely embodied in law requires only like treatment for those found to be alike and allows different and potentially unequal (i.e., worse) treatment for those deemed unlike. MacKinnon exposes Aristotelian formal equality as entirely compatible with White supremacist and Nazi ideology, embodied in *Plessy v. Ferguson* and played out in the Holocaust. Against this theory, MacKinnon advocates a substantive, antihierarchical notion of equality that *promotes* equal status and treatment and realizes that "differences" not only fail to legitimize inequality, but that "difference" itself results from inequalities. In other words, for MacKinnon, inequality is never about sameness and difference; rather, imposed hierarchy and a new theory of equality must do more than reflect the status quo and support preexisting social classifications.

Through the lens of her equality critique, MacKinnon explores inequality in topics often not seen to present equality questions, such as abortion, pornography, prostitution, and the First Amendment's twentieth-century shift from protecting the speech of the powerless to protecting the speech of the powerful.

Yet, even after *Women's Lives, Men's Laws*, an important element of MacKinnon's feminism remains elusive. MacKinnon engages law in her investigation of the relationship between epistemology and power because it is both central to the inequality of the sexes and ripe with potential for social change. However, while MacKinnon's theory refuses to cede law to male power, it never squarely confronts how to identify and exploit the fissures that exist in the legal expression of what she has described as a "near perfect" system of male dominance.

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*From Elections to Democracy: Building Accountable Government in Hungary and Poland.* By Susan Rose-Ackerman. New York: Cambridge University Press, 2005. Pp. 272. \$50.00 cloth.

Reviewed by Linda M. Beale, University of Illinois

Rose-Ackerman's new book tackles a significant concern—how to sustain electoral democracies in Central European countries by ensuring that government policy decisions are accountable to the people. Challenging the notion that electoral systems with competitive political parties are sufficient, Rose-Ackerman asserts that democracy requires accountable policymaking "through transparent procedures that seek to incorporate public input" (p. 1). Focusing on Hungary and Poland, she considers five institutional processes that attempt to satisfy this goal.

First, international constraints provided by the EU and organizations such as the World Bank inherently create conflicts through external pressures that override democratic, grassroots developments. The resulting legitimacy deficit limits international organizations' ability to encourage public accountability.

Second, various new or expanded independent oversight institutions function relatively well to enhance performance accountability but do little to foster policymaking accountability. These include independent agencies, constitutional courts, presidents with monitoring functions, audit offices, and ombudsmen (p. 57, Table 5.1). One suspects that this discussion discounts the policymaking roles of two institutions more than merited. The constitu-