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THE NEW ORLEANS SNIPER: A PHENOMENOLOGICAL CASE STUDY OF CONSTITUTING THE OTHER. By FRANCES CHAPUT WAKSLER (Lanham, MD: University Press of America, 2010, 102pp.)

Waksler is a phenomenological sociologist who may be most familiar to criminologists through her earlier writing with Jack Douglas on the sociology of deviance (Douglas and Waksler 1982). That book, published in the early eighties, was an elaboration of a range of subjectivist approaches to the study of deviance—phenomenology, symbolic interactionism, labelling, dramaturgy, existentialism—and an exploration of the complementary themes involved in the ‘new perspective’ these approaches were taken to represent. This latest book is a return to crime as subject matter, but, here, the crime is less the object of inquiry than the background against which a study of social construction is performed. This is a phenomenological interpretation and analysis of the ‘constitution of the other’ in the circumstances surrounding Mark Essex’s sniper shootings from the Downtown Howard Johnson’s Hotel in New Orleans in 1973, and the standoff that ended in his death. Based in an analysis of newspaper reports and the NOPD police report from the period surrounding the shootings, the study revolves around the question of whether there was a second shooter in the building rather than, for example, performing a phenomenological interpretation of Essex’s motivations. There is quite a lot of evidence supporting the presence of a second sniper, but the ultimate failure of the police to catch anyone other than Essex sets up the premise of the book in how and why an Other is constituted. The fact that nobody knows what the real situation was, and particularly whether this second person existed, allows for a meditation on truth claims in perceptions of reality.

While Alfred Schutz’s phenomenological approach to sociology has been more common currency in criminological writing (directly and, for example, as mediated through Garfinkel’s ethnomethodology and Berger and Luckmann’s social constructionism) than other more philosophical works of phenomenology such as those of Husserl, Heidegger, Levinas, Merleau-Ponty and Sartre, Waksler uses Husserl as her main philosophical and methodological source of guidance. Her Husserlian phenomenological sociology aims to respect the world as people live and experience it, privileging data prior to its categorization and processing by researchers or analysts and resisting assumptions as far as possible. This methodological imperative to let the data speak for themselves and to suspend (pre)judgment is used here in her review of the documentary evidence, which she presents as first assuming the presence of a second hostile person in the building and ‘constituting’ that person, then questioning that assumption, and ultimately moving towards the portrayal of Essex as the only sniper, ‘unconstituting’ the second person.

The impossibility of knowing the truth of the particular situation works quite well to force a suspension of at least the key assumption, which means that one can never read any of the statements of purported sightings or inferences of the presence or absence of the second sniper with any conviction that they are either right or wrong. Where the

matter of Essex’s accomplice’s non/existence is bracketed as indiscernible in this way, various interests and agendas become implicated as the drivers or foundations of opinions in the conflicting press data quoted. For example, the police who entered the building were shooting and being wounded throughout the day after Essex had been killed by a police marksman. The implication of the absence of a second shooter would be that the police had been shooting each other in the later stages of the siege. At a certain point, however, the adverse implication of there having been a second shooter (the police were incompetent in letting them escape) may outweigh the adverse implications of there not having been such a person (the police were panicked into shooting at each other). At this point, where the practical and political impetus favours the story of the lone gunman that was initially rejected, evidence that had previously been taken to support the identification of a second sniper is reinterpreted and put to work in supporting the new story of the solo shooter:

How could evidence be reassigned to unconstitute the Other? The very features that were used to constitute the second sniper came to be used to unconstitute that sniper. The features held; their empirical referents changed. (p. 44)

Waksler therefore helps us reflect on the taken-for-granted assumptions underpinning our everyday interactions, particularly in relation to the process of creating and attributing features to Others. She shows us through this case study in empirical documentary detail how and why evidence of the existence or otherwise of things can be constituted, questioned, revised and reconstituted, producing rationalizations of the way things are but never resolving the base uncertainty of that purported reality. In that regard, although she uses very few references and does not explicitly engage with any criminological writing, she is engaged in similar thinking to central criminological texts like *Folk Devils and Moral Panics* in exhuming the discursive processes of the constitution and reconstitution of public, official and media interpretations of a situation in which each may reach different conclusions as to what happened, sometimes using the same items of ‘evidence’ to justify their different viewpoints.

The idea of the Other has been well used in criminology, and in a variety of different ways, from David Garland’s dichotomy of criminologies to Jock Young’s analyses of exclusion. The process under discussion tends to be the constitution rather than unconstitution of the Other—processes that more or less actively exclude, blame and caricature Others—although there are also investigations of the process of denial of the Other, as per Sykes and Matza, or more lately Stanley Cohen’s sociology of moral cognition. While some of these processes of Othering and un-Othering are clearly deeply entrenched, it seems helpful to focus on the extent to which they may be amenable to change—a focus that is enhanced by Schutz’s view of our background knowledge as taken for granted but only ‘until further notice’ (Schutz 1962: 74; Berger and Luckmann 1967: 58). Waksler’s study illustrates how difficult giving people that further notice can be when one’s analytical perspective is of a life-world in which facts are always and only items that are perceived or experienced, and in which all perceptions and interpretations of experience have a history and a mandate:

The world is never given to the subject and the communities of subjects in any other way than as the subjectively relative valid world with particular experiential content and as a world which, in and

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through subjectivity, takes on ever new transformations of meaning. (Husserl 1970 [1954], cited at p. 78)

With no clear sense of the underlying reality of the situation presented in the book, we are taken through the processes of constitution, reconstitution and ultimately unconstitution of the Other in a way that shows these realities being fashioned and unfashioned by the actors and commentators involved with no reliable link to any 'true' situation as their object.

A difficult background issue is the pristine condition in which the phenomenological perspective is presented in the text. The first quote above, for example, of features holding while empirical referents change is reminiscent of the signifier/signified code in Saussurean semiotics. Yet, no such obvious connections or diversions are made in the text, whether by way of synthesis or differentiation. Instead, the author opts for continual excerpts from Husserl by way of sometimes marginally frustratingly opaque support for a phenomenological approach to the process of constitution that seems to encompass many other fundamentally necessary concepts, perspectives and tools without apparently any need to render them visible in their own right. The book, however, is explicitly an exercise in thought and analysis that is fully built on one approach, and so conceptual cross-referencing and unpicking are not part of the remit.

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