

connections—including friendships and sibling and kin relations—that, as Alison Diduck observes, are “demote[d] by family law’s fixation on couples and spouses” (p. 82).

One oddity of this collection is its subtitle, “Caring and Sharing.” *Prima facie*, this subtitle reflects a cultural feminist ethic of care that risks reinforcing the ideological view of the family as inherently altruistic. “Caring and sharing” contrasts with approaches that emphasize “productive work” and “bargaining.” Indeed, some readers may be left wanting greater discussion of bargaining.

That said, this collection is deeply attentive to material distribution within and between families, the market, and the state. As Susan B. Boyd and Cindy L. Baldassi’s chapter on marriage and unmarried cohabitation in Canada emphasizes, a myopic focus on dependency *within* the family is in lockstep with a thinning social welfare state that places responsibility for care on the family and market employment (p. 115). In this sense, whether altruistic in motivation or not, “caring and sharing” can be understood as an umbrella term referring to household distribution and work.

Changing Contours of Domestic Life, Family and Law: Caring and Sharing is a timely and important comparative family law collection. The authors make visible what is hidden in plain sight—that the household is structured as much by architectural formations as by marriage recognition, that openings in one area of family immigration may mask larger closings, and that the intact household is deeply regulated through tax, bankruptcy, pension law schemes, and the like. This collection captures the contingency and contestability of “family” and “family law.”

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Law’s Trace: From Hegel to Derrida. New York: Routledge, 2010, 184 p.

How do you take the concepts of justice, deconstruction, law, nationalism, feminism, and Freudian fetishism, filter them through a tight weave of Jacques Derrida and Georg W.F. Hegel, and come up with a book of tremendous significance for legal practitioners, theorists, and scholars of law, gender studies, philosophy, political science, queer theory, and cultural studies alike? One places them into the very capable hands of University of Alberta political science theorist and professor Catherine Kellogg. The resulting book is a stunningly rigorous deconstruction of the often complex thinkers and thought

structures that have produced both modernity and its seemingly self-evident foundations: law, legal jurisprudence, sex difference, desire, linear narratives of progress as time, the family, and it goes without saying, compulsory heterosexuality.

How does *Law's Trace* accomplish such a formidable deconstructive effect? It begins with one of the most commonplace affective and intolerable iterations of the modern period—that with the arrival of deconstruction in North America came great anxiety—and moves from anxiety's need to stabilize an all-encompassing, absolutist, and binarized *here and now and so always* (the infamous “always already”) to a remedy of permanent becoming, that is, différance and deconstruction's *this and that* as a project of radical and critical unknowability. Kellogg uses psychoanalysis to excavate the anxieties that shape epistemological, critical, and philosophical projects through the end of the twentieth century and into the twenty-first. These anxieties index the demise of Truth, Law, Justice, History; the abandonment of the “real” after postmodernism and deconstruction; the failure of certainty within cultures of despair; and the incoherence of any belief in transcendent justice both begetting and producing wars of terror, to mention only a few. She suggests that these anxieties have spurred resistances that themselves function not as evidence of the failures of deconstruction, but instead as traces of the very foundationalist and referential thinking structures those deconstructive strategies set out to trouble. They mark, in other words, deconstruction's radical (re-)beginnings.

Such re-conceptualizations of the misreading and anxiously truncated reception of deconstruction, especially within philosophy and legal studies, require the sophisticated re-engagement with Derrida's body of work that threads throughout *Law's Trace*. However, they also set in motion a necessary circuitous elaboration of the many dialogues, echoes, and traces contained within Derrida's own writing, including those with philosophers like Hegel but also with other deconstructive languages emerging simultaneously and sometimes with, sometimes against deconstruction, such as those of feminism, queer theory, and critical legal theory.

One of the most interesting of those dialogues to emerge from *Law's Trace*—in equal parts historical, critical, and discursive—is one between psychoanalysis (its discovery of the unconscious as the foundation of unknowability as a permanent condition) and the desire, both culturally and politically, to be able to claim that “I know with certainty” (the drive of not just scholarship and academia but also law, jurisprudence, sex differentiation, heterosexuality, the family and its private domain, and so on). This dialogue threads throughout the text to enable that modern subject to land in a doubled location that most suits her affective and epistemological quandry: first, a complex and critical openness in the face of that fissure and unknowability, and second, strategically occupying the place of impossible undecidability with the deconstructive impulse of the fetish, that is, with the desire to, indeed necessity of “playing in two scenes at once.” A full elaboration of the constitution of the fetishist is beyond the scope of a

book review, but suffice it to say that if mastery, binarized and therefore knowable, foundational, doctrinal Truths—including those of law—have accomplished their work servicing the interests of power in modernity, then the fetishist has much to offer. The fetishist occupies a strategic subject position relinquishing mastery at the same time that *she* revels—indeed, thrives most—in the *fold* (but not *cut*) that defers definitive differentiation (“this” or “that”) and enables their simultaneity instead (“this” and “that”). The fetish then becomes both a mode of desire and a radical answer to the anxieties of postmodernity’s undecidabilities. Such is not the end of possibility but the beginning of the promise of unknowability within the current conceptual frameworks. To frame this differently, Kellogg’s project is not satisfied with the possibilities of what can be known or read; instead, she embarks on a project risking the impossibility and unforeseeability of what is *not yet* but which *could come*: “‘The promise inspires the critique in the first place’ [...] it is a chance, perhaps” (Derrida, quoted on p. 157).

Kellogg is a rigorous read, yes. Then again, the best in critical thinking should not be left to the *feint* of heart or mind. A reader desiring the labours and pleasures of complex discernment will find much to contemplate precisely because of those opacities not despite them. Kudos to Routledge for the gem and to Kellogg for the beautiful promise of radical uncertainty.

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Pierre Noreau (dir.)

Gouvernance autochtone: reconfiguration d'un avenir collectif. Nouvelles perspectives et processus émergents. Montréal, Éditions Thémis, 2010, 236 p.

Il serait vain de rechercher dans ce collectif des prescriptions normatives précises sur les formes optimales de la gouvernance en contexte autochtone. L'originalité de cette publication, qui s'attache pourtant à une thématique maintes fois visitée, repose plutôt sur sa promesse, si bien formulée par Pierre Noreau dans son propos introductif, d'établir les conditions « d'un renouvellement de la recherche et de la réflexion sur l'exercice de la gouvernance autochtone », notamment au moyen d'un dépassement de ces « catégories intellectuelles, politiques ou juridiques établies » qui « nous empêchent souvent de nous interroger sur les fondements et les formes de la gouvernance autochtone au Canada et dans plusieurs autres États du monde ».