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The fourteen essays that comprise this book have all been published elsewhere and, in keeping with the “Collected Essays in Law” series, the original page layouts, typefaces and, in some cases, pagination is retained. Thus, the book looks like a bound set of photocopies to which a running head and index have been added. However, this is my only complaint about what is otherwise an important and fascinating essay collection.

Fitzpatrick addresses resistance in relation to power, asking what might be the conditions of exteriority that enable law to negotiate the slippery relations between power, injustice, and resistance. Does power depend upon resistance? Is resistance parasitically dependent upon power? Fitzpatrick asks whether law itself is to be resisted in its normative relation to hegemonic state power or whether, indeed, law can be a tool of resistance in the progressive struggle against dominant power. The position he presents characterizes law as both determinate and excessive. Law is circumscribed by and within dominant power but, at the same time, the authority of law derives from the appeal to an exterior power (once transcendent or sacred): “in its subordination to dominant power, law is allowed a resistance only of the impoverished or weak variety. … [H]owever law subsists in a relation of independent or ‘strong’ resistance to erstwhile power” (xiv).

Such paradoxes feature repeatedly in Fitzpatrick's characterization of law. In an early chapter, he addresses the imperial Western claim to universal jurisdiction, a “self-universalizing” claim that promotes European power especially in relation to “discovery” and colonization. However, this self-proclaimed universality depends upon the categories of civilization versus savagery in order to enact the constitutive exclusion of the “savage” and “barbarous” which, if included in the category of the “universal” would destroy it. Power thus is weakened by its own imperative toward inclusivity that is characteristic of the “universal,” opening the possibility for resistance through law. One of several case studies (including *Mabo* as well as various practices of “American empire”) is native resistance to the system of indentured labour in colonial Papua New Guinea. As Fitzpatrick argues, the effectiveness of this resistance derived from pressure applied to the necessary responsiveness of law. Although law is determinate it must also be open to reinterpretation and resignification, a paradoxical characteristic that Fitzpatrick terms “ontological osmosis” (xvii).

Of particular interest to scholars of postcolonialism are the analyses of contemporary interventions in the debates concerning the nature of law’s paradoxical “resistance” and international law, nation-state sovereignty and indigenous rights, racism, nationalism and imperialism. For example, in his account of Agamben's engagement with Foucault (in chapter 12) Fitzpatrick shows how law extends to and sustains sovereignty but sovereignty contains a lack intrinsic to its identity, as a result of which sovereignty is dependent upon law and the capacity of law to encompass that which exceeds it. This is clear in *Mabo* where the indigenous plaintiffs' concession not to dispute the settler claim of *terra nullius* enabled the case to be heard by confining the terms to the colonial legal system but revealed the unstable founding validity of the court and its law. Kant's prohibition against questioning the origin of the authority by which sovereignty and law are created encapsulates the modernity invoked in the book's title and provides one of the central philosophical references for the correlations between Western modernism and a “pre-modern theologic” that Fitzpatrick quite brilliantly explores. Derrida, Foucault, Blanchot, Agamben, Nancy, and Zizek further define Fitzpatrick's intellectual context and approach in this book which challenges and rewards in equal measure.

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