something that the author could hardly have foreseen), such detailed commentary will be necessary as radical outcomes to the problems that beset the United Kingdom are discussed. Here, though, there are omissions. The reviewer felt that welfare, energy, planning and environment were potentially important (yet absent) elements of the story.

All in all, this is a fine book, drawing on meticulous and too often thankless examination of official documents. Someone has to be prepared to undertake this task and, if they are, to do it well. The author has accepted that challenge and met it admirably.

JOHN SNAPE

University of Warwick, UK

References


Queer interventions in legal scholarship have a long-established theoretical tradition, which is deeply rooted at the heart of what is known as queer theory. I am talking here not about the – successful – attempts of activists and scholars to inscribe lesbians’ and gay men’s (and later LGBT, LGBTQ, LGBTTIQQ2SA) demands into human rights vocabulary, but rather critical interrogations into law, such as Butler’s (1997), which are now considered classical queer theory. Basing on the sceptical approach to juridical power by Foucault (1978), queer scholars questioned existing legal arrangements to offer valuable critique and possible venues for new utopias outside of the law or within its general framework (Halley and Brown, 2002). After Legal Equality, edited by Robert Leckey, seeks to contribute into this body of work, although he does pay more attention to legal methodologies, rather than specifically queer ones, to examine utopian horizons.

The main methodological orientation that most authors of the book share is classical legal analysis: one specific juridical concept is subject to very close examination in the texts of bills, court decisions, practices of enforcement or in theory. That concept is ‘equality’, which is claimed to have been achieved in its legal sense in family law through recognition of same-sex marriage. How the law could be helpful after legal
equality, if at all, is what drives the authors’ argumentation in the chapters of the book. Whilst considering equality, all the authors relate their studies to family, kinship and sexuality as themes, where equality is theorized, tested and queered. Certainly, legal equality in marriage law is not taken for granted insofar as it is acknowledged that it ‘may worsen the disadvantage of other groups, as where recognizing same-sex couples can indirectly intensify distinctions by race or class’ (p. 1). On the contrary, formal recognition of certain rights is regarded as a point of departure for new venues of academic investigations.

In the introduction, Leckey explicitly locates the book in queer theory debates by offering a literature review where authors queer notions, such as ‘kinship’ and ‘family’, identify normativities to challenge (‘romance’ and ‘love’), question state monopoly over people’s experience and provide for critical engagement with neo-liberal conditions of contemporary capitalism. These undoubtedly queer perspectives on the themes of the book are not identically taken up by the authors of all chapters. Rather, they prefer to relate their studies to the methodologies, theories and themes they have worked before, be they queer or any other approach. Claire Young’s chapter is a good example of this tendency. Given this, the collection appears to be a very interdisciplinary travel to law and sexuality.

In Chapter 2, Jonathan Herring offers to centre family law on care instead of sex, which would bring the legal model of family closer to everyday family relationships, because obviously the latter are not always built only on sex. On the one hand, this approach does deconstruct marriage as we know it, opening its legal form to a great variety of caring affiliations. On the other, legalization of care in an intimate relationship bears all sorts of disadvantages that the forms of state recognition entail, including disciplinary and regulatory effects of law, which from a queer perspective should be thought of as fruitful for providing critical insights. A good example of the shortcomings of legalization is given in Helen Reece’s chapter that considers marriage contracts (p. 122). But Herring hardly offers this critique, focusing instead on legal designs, albeit very convincingly and reasonably. Susan Boyd continues to advocate care as a core of family law, because it makes it possible to protect the rights of non-biological lesbian mothers who establish their affiliations with children in courts through relations of care. Her feminist appeal is to think beyond equality and prioritize care/caring parents in resolving custody cases (p. 54).

Contrary to the other authors of this part, Janet Jakobsen does not take ‘care’ for granted but seeks to offer its queer definition (pp. 82, 88), proposing this as the flagship notion after legal equality. Her approach is queerly sceptical of traditional hierarchical institutions such as the state, economy and law since they prove senseless and even harmful in neo-liberal conditions. So the author’s method is to introduce a utopia – an everyday utopia (Cooper, 2014) – of caring relations that constitute new forms of fluid network institutions of support outside of old forms in order to exclude perpetuation of economic exploitation, the generation of wealth by a few at the expense of many and disaggregating individualism. These ideas are taken from everyday experience and so strengthen utopian thinking by reference to actually existing practices.

A somewhat different approach to state institutions appears in the very beginning of Part 2. The first chapter here introduces a method of searching for a variety of family
relations in court records. Whilst one may think of a family as a comprehensive and narrow phenomenon, Kim Brooks shows that even a legal document is a rich source of descriptions of diversity in family relationships as she cites court decisions where couples present their marginal cohabitation practices to judges who are about to decide whether this is a common marriage or not. The author’s collection of various forms that marriage take in practice is worthy of great attention. However, one should also bear in mind that the institutional vision of the everyday life of people given in the documents may well skew actual relations (Garfinkel, 1967). Trust in the state is a slippery road, just like Roderick Ferguson shows in his chapter arguing about the collapse of the gay movement because of same-sex marriage demands directed to state institutions. The author believes that a social movement’s radical potential is a key to social transformation, whilst the gay movement has lost its way by reducing claims to recognition of marriage. As Ferguson argues, one of the reasons why radical struggles have given way to respectable claims is the depoliticization of the discourse of rights. His work is definitely a contribution to the repoliticization of rights in scholarship.

Continuing this critical interrogation into marriage in the last chapter, Catherine Donovan explains how heteronormativity structures our ideas on intimacy and love, consequently perpetuating dependency and abuse in marriage. After legal equality, the challenge of the notions of romanticism should ensure erosion of inequalities. Rosie Harding also points out that the inclusion of ‘love’ into legal definition and debates on marriage makes same-sex matrimony possible (p. 188). This and many other heteronormative assumptions prevail in current discussions of same-sex marriage after legal equality, an event which is characterized by the risk of losing ‘the value and difference that alternative family forms can offer’ (p. 197). An evident example of how this loss is reflected in litigation is offered by Daniel Monk in his descriptions of various affiliations into which lesbian and gay men enter. For example, gay couples in open relationship are understood as dishonest partners in courts and disputes (pp. 203–204), whilst gay men without children are regarded as good godfathers who leave all their money after death to non-blood relatives (pp. 210–211). Sexuality in law continues to acquire various meanings even after legal equality.

Overall, this collected volume offers a number of strong interdisciplinary studies of law in relation to sexuality. Moreover, it argues that there is an urgent need to continue reflections on the ways the law shapes sexuality right at the point when activists, politicians and queer people celebrate legal victory in the West. The authors contribute to this endeavour from various perspectives, not limiting their methodologies to queer theory. However, so long as queer theory is never a solid body of work, but rather fluid and changing all the time, this book might become another classic contribution to it with time.

ALEXANDER KONDAKOV
European University at St. Petersburg, Russia

References
Samuli Hurri’s monograph is an ambitious and broad-ranging book. Its aim is not only to delineate the contours of the figure of the European Individual but also to draw more general theoretical implications with regard to current legal practice. Hurri sets out to tackle this demanding task by focusing on a specific field of European Union (EU) law, namely, the freedom of movement of workers (Article 48 Treaty Establishing the European Community pre-Amsterdam numbering – now Article 45 Treaty on the Functioning of the EU).

He identifies the conflictual space created by the tension between the two central concepts of *ordre public* and personal conduct as ‘... something that can be called a laboratory of human-making’ (p. 3). Within this ‘laboratory’ he adopts what he calls a ‘microscopic view’, analysing in painstaking detail six freedom of movement cases that reached the Court of Justice of the EU between 1974 and 1981. Through textual analysis of the case files – and using Michel Foucault’s ideas on power, knowledge and subjectivity – Hurri proposes to distil a theory of legal practice that would in turn allow him to ‘... explore what humans are made of, what are the powers that make them so and what are their possibilities to resist’ (p. 4).

Accordingly, the book is divided into three parts, each structured as a ‘triptych’: a central, more substantial, chapter scrutinizing one particular case addressed by the European Court, flanked by two smaller chapters describing anti-juridical knowledges that encroach on and contrast the legal perspective emerging from the case law. Each part addresses one specific problem. The first part (Chapters 3 to 5) studies human forms, examining the conflict between the *homo oeconomicus* of the liberal market and the delinquent of psychology, on the one hand, with the *homo juridicus* as a bearer of rights, on the other hand. The second part (Chapters 6 to 8) turns to the issue of power and, more precisely, to the problem of law as a space of struggle between individuals and the reason of state. Finally, the third part (Chapters 9 to 11) focuses on knowledge, analysing the opposition between the knowledge of the state and the knowledge of the individual.

Throughout the book, three themes emerge: the birth of the European Individual as a problematic human form, the omni-historical elements of legal practice and the semiotic of subtexts making apparent the power dynamics that flow beneath the surface of the legal struggle. These three dimensions are interconnected: