

Book Reviews/Comptes rendus

RANDY K. LIPPERT, *Sanctuary, Sovereignty and Sacrifice: Canadian Sanctuary Incidents, Power and the Law*. Vancouver: UBC Press, 2005, x + 210 p., bibliography, index.

Randy Lippert's *Sanctuary, Sovereignty and Sacrifice* is an ambitious work that manages to successfully interrogate an empirical phenomena (sanctuary incidents) via a set of highly sophisticated theoretical concepts. The author's use of Foucault's notions of pastoral power, sovereign power and governmentality/bio-power in connection with Agamben's development of the concepts of sovereign decision and exceptionality in relation to law, allow him to make interventions in the area of governmentality studies on methodological, theoretical and political levels. While clearly having a nuanced understanding of the concepts he deploys, Lippert consistently remains engaged with the empirical event of sanctuary through his methodologically innovative (in terms of governmentality studies) use of official government documents in conjunction with interviews, or as he writes "talk," of individuals directly involved in sanctuary incidents.

Lippert traces the development of refugee determination and resettlement programmes in Canada under advanced-liberalism. A development characterized by the juridification of inland refugee determination and an increased involvement of churches and communities in refugee resettlement, as the state has retreated from both these areas. These developments, while consistent with a liberal rationality of governance, paradoxically leave space for other "nonliberal" rationalities of governance, like pastoral power to operate simultaneously, overlap or come into conflict. Lippert's central claims are that in incidents of sanctuary for migrants in Canada, we see a case of exception where, contra to the typical assumption in governmentality studies, multiple "rationalities" of governance circulate simultaneously, at times in tension and at times in coexistence. Lippert's study reveals the possibility of multiple governmental and sovereign powers beyond liberalism and the nation-state. Further, that sovereign power exceeds the rationalities it might potentiate.

Lippert's claims have various theoretical implications for governmentality studies. Through identifying a plurality of rationalities of governance, such as pastoral and liberal, and powers such as sovereignty, at work in cases of sanctuary, the author is able to demonstrate the limited lens of much governmentality literature that assumes liberalism to be the totalizing

rationality of modern governance. Further, Lippert claims that a sovereign power, with the capacity to decide on the exception, connected with territory and an affinity for spectacle, can be seen in the act of granting sanctuary. Thus Lippert demonstrates that sovereign power “is currently relevant and unrestricted to the nation-state’s capacity for ministerial exceptions and exclusion” (166). While various rationalities were constitutive of government responses to appeals for sanctuary, Lippert’s study shows that these rationalities, like sovereign power, are available in other domains. In other words, sovereign power is not synonymous with state power and it seems to play a role in potentiating both the liberal rationality found predominantly in the state’s responses to sanctuary, but also in the “programmes” found within sanctuary spaces; and the pastoral rationality that govern sanctuary spaces, but also found in “welfare liberalism.”

The articulation of multiple rationalities of governance operating simultaneously reveals the inadequacy of governmentality concepts like “hybridity,” which, although recognizing multiple rationalities, avoid “discussion of how these rationalities work together or conflict” (169). Similarly, the concept of “responsibilisation,” which, if we assume a totalizing advanced liberalism, implies a unidirectional movement from the state to other actors or groups, obscures what Lippert finds operative as “pastoral and non-state sovereign powers” in the exercise of “community authority” (171). Further, this exercise of authority is not simply in opposition to, or against, oppressive state power, since it is potentiated by pastoral and sovereign modes of relation, which are inherently unequal and at times “unambiguously paternalistic” (172).

Thus Lippert’s theoretical interventions into governmentality studies have political implications. If the concept “hybridity” sets aside rather than explores “how two rationalities reinforce one another, or are in tension” (169), the critical role that sovereign power seems to play in constituting both the governance rationalities, and what appears as resistance to these rationalities, is also necessarily set aside. Lippert asserts that it is only through empirical investigation that the complexities circulating under concepts like hybridity can be uncovered. Such investigation is manifested in Lippert’s study, which surfaces the excess of sovereign power with regard to the nation-state. In the exceptionality of sanctuary, this excess can be seen in the way sovereign power is “*outside* and occasionally *overlapping* with, rather than *within*, advanced-liberal, pastoral, or other governmentalities” (168). The political implications become clear as such excess points us toward the tensions in “governing through need” (a characteristic of pastoral rationality), which requires intimate knowledge, and “governing through freedom” (characteristic of liberal rationalities), which demands privacy and distance in relations with the governed. It is such tensions that further complicate a view that would want to oppose pastoral power, operative in sanctuary spaces, to that of the state.

By surfacing the complicated dynamics constitutive of incidents of sanctuary, Lippert displaces the understanding that takes sanctuary “at first

glance” to be about avoidance of law, and uncomplicatedly resistive to state oppression. Not only “against the law,” within the context of sanctuary, the relation to “legality” is much more complicated, something Lippert is able to demonstrate through sanctuary providers’ invocations of “higher law,” variously God’s law, common law or timeless tradition. Further, sanctuary is at times “with the law,” plotting how recipients might benefit from its “uncertain” and “fleeting” protection. Through identifying three “legal narratives” that are operative in and constitutive of sanctuary, Lippert demonstrates the relevance of the emerging field of critical legal studies for governmentality studies and studies of contemporary governance in general. By articulating the ways that law is operative in incidents of sanctuary, which appear at first to be outside legality, or non-legal, Lippert reveals that the event of sanctuary is both dependent on the law, and a site of sovereign exception exercised similarly by the state, and the churches and communities that grant sanctuary.

All this opens up an unexplored direction for governmentality studies, one that Lippert characterizes as following the spirit of the later writings and lectures of Foucault, which inspired governmentality studies in general. Lippert rightly argues that much current governmentality work assumes the concept of liberalism to be “a new epoch or societal condition” rather than a concept referring to a “particular rationality in a specific context” (6). This is a view at odds with a spirit that seeks to disrupt totalizing and seamless logics. In lieu of the equation of “governmentality” with liberalism, Lippert takes “governmentality” as a generic concept “potentially referring to a range of government logics” (169) that are not collapsible into “state governance.” This theoretical trajectory has implications for the understanding of events like sanctuary as simply resistive to oppressive state power, as simply being “against the law.”

Lippert’s sophisticated theoretical engagement and empirical investigation are intellectually fruitful and politically timely. He makes key interventions in governmentality studies that recall “the spirit” of Foucault’s later work, while articulating some of the complexities of governance and sovereignty most relevant “in our present” political moment. This book would appeal to those interested in questions of governance, governmentality, political resistance, sovereignty and law. Additionally, Lippert’s success in conducting a fully theoretically engaged empirical analysis can be taken as an example for social science research generally.

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