

en postmodernité. Ces modèles de gouvernance, plus adaptés au caractère déterritorialisé des phénomènes à norme et évoluant dans des espaces hors de portée de la souveraineté de l'État, sont difficilement saisissables via la dogmatique juridique. En effet, les catégories juridiques actuelles ne permettent pas de les appréhender dans toute leur complexité et de qualifier les normes qu'ils produisent. Des ordres juridiques autonomes, tant des ordres nationaux que de l'ordre juridique international, prennent corps, laissant entrevoir une multiplicité de rapports survenant entre les normes dites alternatives et l'État. Face à ce *pluralisme transnational*, l'auteur présente le *jeu internormatif*, qui permet d'envisager une panoplie d'agencements possibles entre les divers espaces normatifs en circulation au sein d'un ordre global mondialisé. Le professeur Benyekhlef s'interroge alors sur les manières de penser une théorie juridique de l'internormativité. En ce faisant, il se trouve à franchir des frontières disciplinaires pour tracer les premiers pas d'un champ encore embryonnaire de la recherche juridique en devenir.

Prenant acte de ce chantier du droit encore en friche, l'auteur fait le choix de ne pas fermer la réflexion par une conclusion. En adoptant cette méthodologie, il crée une mise en abyme intéressante. Par cette invitation à développer une réflexion personnelle et à participer à l'édification d'une théorie du droit post-moderne, le professeur Benyekhlef attribue à ses lecteurs un rôle d'acteur engagé dans l'édification d'une pensée contemporaine sur le droit. Par cet appel, il jette les bases d'un réseau d'acteurs fragmenté et pluraliste ouvert sur les mouvements d'idées, hors des frontières théoriques et nationales.

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Dominique Clément

Canada's Rights Revolution: Social Movements and Social Change, 1937–82. Vancouver: UBC Press, 2008, 281 p.

The language of human rights has been a central advocacy tool used by “professional social movement organizations” in their campaigns for social change (p. 4). Dominique Clément's *Canada's Rights Revolution* examines how these groups conceived of social change and directed their resources accordingly. The volume offers a historical exploration of four Canadian rights associations (a subgroup of social-movement organizations) dedicated to the advancement of civil liberties (the British Columbia Civil Liberties Association and the Canadian Civil Liberties Association), human rights (the Newfoundland–Labrador Human Rights Association), or both (the Ligue des droites de l'homme). These rights associations came to prominence in the 1960s–1980s, and they are only a small part of the human-rights movement. Still, as Clément suggests, their membership, ideological divisions, and

advocacy are worth examining, because they present an important group of non-state actors that had an impact on the evolution of human rights in Canada (p. 5).

The first chapter provides the reader with an introduction to the book's key themes and concepts; the second examines "the intellectual foundations of the rights revolution" (p. 14); the third offers a brief history of the first generation of rights associations (1930s–1950s); and the fourth provides an introduction to "professional social movement organizations" as a basis for the case-study analysis in the subsequent chapters (p. 15). While the opening chapters examine the broader history of Canada's rights revolution, the focus of Clément's book is on the case studies in chapters 5–8. These chapters present the history of the four oldest rights associations in Canada during their most active phase, from the 1960s to the early 1980s: the British Columbia Civil Liberties Association (based in Vancouver), the *Ligue des droites de l'homme* (based in Montreal), the Canadian Civil Liberties Association (based in Toronto), and the Newfoundland–Labrador Human Rights Association (based in St. John's). The case-study chapters follow each group's inception and trace its history of advocacy and the changing strategies for promoting social change. The case studies are framed by six sets of questions that help to highlight the differences and similarities among the organizations: the impact of state funding on the rights associations' activism; the differences between first-generation (1930s–1950s) and second-generation (1960s–1980s) associations; the strategies used by these groups; the impediments to forming a national social-movement organization; the ideological divisions among the members of the groups; and the relationship between each group and other social-movement organizations.

The founding of each of the associations was inspired by a specific project or target of protest. These initial prompts to action influenced the composition of membership and the later policies and strategies of the organizations. Discussions of the BC Civil Liberties Association's legal challenges to the BC Heroin Treatment Act (starting in the mid-1960s), the *Ligue des droites de l'homme*'s pursuit of a provincial bill of rights (starting with the group's founding in 1963), the Canadian Civil Liberties Association's efforts to counter expanding police powers in Toronto from the group's founding in 1964 on, and the Newfoundland–Labrador Human Rights Association's attempts to secularize the province's education system beginning in 1968 provide diverse examples of the success and failure of these rights associations in promoting their understanding of social change. Some efforts of such associations to curb human-rights abuses are familiar to readers—for example, the reaction to the October Crisis and the Gastown Riot. Other advocacy projects, such as the pursuit of prisoners' rights in Quebec and of the rights of welfare recipients in Ontario, are rarely explored moments in Canadian human-rights history. This book is to be commended for offering a historical exploration of four significant rights associations that have no doubt shaped the discourse on human rights in this country.

Among the insights emerging from this volume, the limited nature of the tactics adopted by these rights associations and their distance from "grassroots

mobilization” and “alternative forms of protest” to promote social change (p. 208) stand out. The author reminds us that during the 1960s and 1970s, social-movement activism employed myriad strategies, but not all organizations were open to all such strategies. The associations studied in *Canada's Rights Revolution* conceived of social change as synonymous with legal change, and they therefore directed their efforts at state institutions. The book is filled with examples of how this tactic repeatedly failed (pp. 208–9), pointing to the limits of imagination in the professional social-movement organizations. Clément argues that these associations “did not deploy strategies for dealing with systemic inequality” (p. 211); instead, “by embracing the state as a vehicle for social change, rights associations hobbled their ability to achieve their own goals” (p. 211). This conclusion offers contemporary social-movement organizations a useful reminder to be open to multiple strategies for achieving social change.

The author’s thorough examination of these rights associations and of their successes, worldviews, and limits offers the reader—student, academic, or activist—a better understanding of the historical relevance of human-rights and civil-liberties associations and their contributions to human-rights advocacy.

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Hamar Foster, Benjamin L. Berger, and A.R. Buck, eds.

The Grand Experiment: Law and Legal Culture in British Settler Societies.
Toronto: The Osgoode Society; Vancouver: UBC Press, 2008, 393 p.

In the United Kingdom and in the United States, legal historians and socio-legal scholars are, for the most part, two distinct groups. The situation is markedly different in English Canada. Legal historians took the lead in forming the Canadian Law and Society Association and in founding this journal, and historians such as Wes Pue and Constance Backhouse continue to exercise their leadership talents throughout the whole field of legal studies.

In keeping with this healthy tradition, the Law’s Empire conference at Harrison Hotsprings that gave rise to the volume under review focused on legal history but was very well attended by all manner of critical interdisciplinary legal scholars. An important reason for the large attendance was that the conference was a rather un-Canadian all-out tribute to John McLaren, well known for his role in pushing Canadian historians to look at trans-oceanic phenomena but also for his work nurturing critical legal studies and contributing to public policy. For example, he is fondly remembered by criminologists as one of the commissioners who in the mid-1980s attempted, unsuccessfully, to modernize Canada’s antiquated prostitution and pornography laws.

The volume arising from the conference is more narrowly historical than the conference itself. This is not necessarily a flaw; nevertheless, some of the