
Book Reviews

Jennifer Balint, Editor

Legalized Families in the Era of Bordered Globalization. By Daphna Hacker. Cambridge: Cambridge University Press, 2017

Reviewed by Erika Busse-Cárdenas, Department of Sociology, Macalester College

Legalized Families in the Era of Bordered Globalization is a fascinating book which could not come at a better time. Globally, we are observing large numbers of individuals fleeing their countries to seek safer places, leaving their children behind to search for a better life; families moving together; and women crossing borders to access reproductive services, just to name a few. In this groundbreaking book, Daphna Hacker reminds us that these movements are shaping not only the lives of those moving, but also the lives of those other members of their families who stay or have yet to move to another place.

Using a social-legal perspective, Hacker offers a conceptual framework for the study of families and law in the context of globalization. Specifically, Hacker focuses on border crossing to argue that families cannot be understood without taking into context “bordered globalization,” or the interplay between globalization and borders; families are shaped by these interplaying interactions all over the world. By evaluating border crossing in the context of bordered globalization, the author underscores that nation-based family laws are insufficient since families are shaped by the legal systems of more than one nation.

The book is organized into eight substantive chapters. The first two lay out the context of how globalization fosters movement while national borders operate to constrain it, highlighting specific instances of bordered globalizations. Then, the author presents how family as lived experience interacts with family law at the national, international, and subnational levels, both *de jure* and *de facto*. Hacker shows that each legal system works with a particular definition of family; there is no singular, universal way to codify families across countries. Given the fact that family

*Joint winner of the Herbert Jacob Book Prize by the Law and Society Association 2018

members may reside in more than one country, nation-based family law proves to be insufficient in regulating family experiences in the era of globalization.

Moving on from the conceptual frame, Hacker organizes her book following the chronological phases of families, from conception of children to old age. First, Hacker shows the challenges states run into in controlling their citizens' (in)ability to pursue parenthood in another country. Then, once a family is formed and with children, Hacker brings to the forefront the fact that not all members may have the same citizenship rights. She suggests, for example, the concept of *familial citizenship*, which she defines as "the right of family members to be citizens of the same country, based on their family relations" (150). In so doing, Hacker identifies the rights and resources (or lack thereof) family members have. Next, the author turns her attention to children and the migration paths parents follow to support them. By specifically studying remittances, child labor, and intercountry adoption, Hacker highlights how migration across borders is part of a family project, rather than an individual enterprise, yet again illustrating the limits of nation-based family law. Furthermore, Hacker proposes *familial violence*, expanding the term violence to refer to physical and non-physical manifestations of violence in order to challenge how law should or should not intervene to protect family members from each other. Finally, Hacker sheds light on the role of seniors, both those who migrate and those left behind, looking at both their care for their grandchildren and who cares for them, in an analysis that shows the limits of the nation-legal system.

As Hacker points out in her concluding chapter, if our goal is to create a just society, we need to realize the limitations of national legal systems in the context of globalization. In her book, she offers six basic recommendations for legislators and judges to guide their work, ranging from the recognition that everyone should have the right to decide whether to establish a family, to the need to understand the different law systems in the context of families crossing borders, to the importance of taking into account children's interests when designing immigration law. Finally, Hacker calls for more empirical research as well as a family-centered examination of laws at all levels, while also advocating that more information be disseminated about how laws affects families. Ultimately, the underlying key premise of this book is that families are central in social life. In order to create a just society, we need to move beyond the focus on the individual to be able to realize the pernicious consequences on families that nation-based laws have when they do not take into account that families may extend across borders: even if they live far away, family members are impacted regardless of where the individual is and what the individual does.

Legalized Families has quite a few strengths. First, the book centers family in the context of globalization, making visible the ways in which globalization affects family members, practices, and meanings. Second, Hacker constructs a convincing, solid argument about the constant interplay of globalization and borders, taking her readers step-by-step on the journey, making this book wonderful for undergraduate students and anyone interested in families and globalization. Third, the book can be read as independent chapters or as a whole, though putting them all together truly illustrates the different phases of family life. Fourth, it brings together literature from different parts of the world to break the borders of scholarship, instead of simply documenting how laws shape families in different countries. As such, this book deals with a massive literature on and from different regions of the world (mostly English-speaking ones, however), as we move with her from Ireland to India to the United States of America to Israel. Fifth, her nuanced and intersectional analysis of race, gender, and economic status (156) is refreshing and highlights yet again the limits of the law. Sixth, Hacker's in-depth examples make clear the intricacies of nation-based family laws in the context of globalization. Thus, Hacker creates a comprehensive analysis of a vast body of work, synthesizing it in a coherent way, while bringing theory down to the level of lived experience; although her focus is on laws, Hacker brings up the nuances of the real impacts on individuals' lives.

In short, this is a high-quality book, well-written and clearly organized. This book's ideal audience includes students of legal studies, sociology, political science, public policy, and family studies, to name a few. Both undergraduate and graduate students interested in family and law would benefit enormously from reading it. *Legalized Families in the Era of Bordered Globalization* is a must-read for those studying globalization and families.

* * *

Judges, Judging and Humour. Edited by Jessica Milner Davis and Sharyn Roach Anleu. Switzerland: Palgrave Macmillan, 2018

Reviewed by Heather Roberts, ANU Law School, The Australian National University

In his Foreword to *Judges, Judging and Humour*, former Justice of the High Court of Australia Michael Kirby reflects upon his varied experiences of judicial humour over decades working in