

approaches, arguments, concepts, and competing stakeholder groups and present them in a readable and easily digested way. *Class Action* does this wonderfully. Quinn's work highlights certain universal truths about school integration that extend beyond the broad agreement that students of all colors, creeds, and national origins deserved to have the best and most equitable education possible: the courts were hesitant to set school assignment policy unless forced to do so, the parents from both sides resisted busing and preferred school choice and assignment closer to their homes, and the process of integration was just as slow and plodding in San Francisco as it was in the South. Quinn quotes Federal Judge William H. Alsup's remarks to a crowded courtroom in 2005 during a hearing on whether to extend a consent decree in the city. "Everybody in this room," said Alsup, "wants to do what is best for the children of San Francisco—that's a given" (161). The devil, they say, resides in the details.

Quinn's seminal work provides a glimpse of just how complex, contested, frustrating, and, at times, byzantine the business of desegregating schools turned into the business of fostering diversity, and how community groups, parents groups, educational advocates, and the courts struggled to find a sound, workable solution to a problem that changed with the passing of each year.

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Baby Jails: The Fight to End the Incarceration of Refugee Children in America. By Philip G. Schrag. Oakland: University of California Press, 2020. 400 pp. \$29.95 paperback

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Baby Jails is a book that provides a rich, critical, and meaningful war story: The war against incarceration of asylum seeking children. It is a long, painful, tacking war, not a battle. Though the immigration detention of children received much press coverage when the Trump administration enforced the separation of children from their families in 2018, this war started decades before. The book describes the consistent use of immigration detention against children during the eras of several presidencies and administrations, and the long thirty-five year persistent war against it, and ends by situating the Trump administration efforts to detain children in the context of the overall reform of the

asylum regime, in an effort to effectively shut down the possibility of getting asylum. The book describes the intergenerational and dynamic aspects of this war.

The effort to detain immigrant children was a "legacy", of a sort, transferred from one administration to another, with facilities opening, expanding, being repurposed, or closed only to have a similar or bigger facility opened elsewhere. It was also an effort directed toward migrants from several countries of origin, most of whom were from Central and South America, but some were Eastern European or Asian. From a normative point of view, the central pillar restricting the detention of children has been derived from the *Flores* case, namely the *Flores* settlement of 1997, which assures "a child's prompt release from detention into the least restrictive environment that could be arranged, given the needs of this child" (272). This settlement was achieved and later on interpreted in intense negotiations in court since its inception, during the course of which detention conditions of children, the release of parents, and the types of adults to whom children may be released was also determined. The book provides an account of how *Flores* was achieved and how it still impacts the on-going litigation of detention cases to date.

Like many other wars, this war had real-life heroes and heroines. Some of those heroes and heroines are the immigrants themselves. The study of immigration law and policy too often focuses on the policy measures in the abstract, but the book allows the reader to connect to the human subjects of immigration law and policy, and understand the factual basis of their rights claims, in a manner that transcends the generalizations of policy makers and shows us the crucial need for humane policy measures. The book demonstrates the agency and subjectivity of immigrants throughout, both of which are often critically missing from the legal research of immigration. In addition, the book offers a rich account of the life stories of the immigration lawyers, administrators, adjudicators, and legislators, too many to mention here, who fought against placing children in immigration detention in their different capacities. Interestingly, but perhaps unsurprisingly, many of the lawyers and adjudicators who fought to stop detention of immigrant children had a strong personal connection to immigration, through their own biography or through their families. The thick description of their work leaves the reader convinced of the importance of legal representation of migrants. At the same time, this description shows the challenges of doing direct representation in remote detention facilities and gives the reader a glimpse at the complex emotional consequences such work entails. It is clear that this war, as wars often do, required collaborations—with grass-root organizations, volunteers,

translators, mental health, and medical experts. It also required a multifaceted effort—the goal was advanced through the court but also through settlements, through demonstrations, the press and public opinion, and through the work of legislatures.

This war story takes us through the cruel aspects of the immigration detention of children. This cruelty takes mundane, technocratic, and benign-looking forms. It is only through looking at the details that we can begin to capture that immigration detention is, indeed, a form of cruelty. Cruelty is in cavity searches of young children; in the scarcity of hours of education or recreation; in the overcrowdedness of detention facilities; in having to wear prison uniforms and onesies; in the absence of walls around toilets in family cells; in limiting of mealtime to minutes; in scarcity of medical care in the facilities; in restrictions on access to crayons or toys; in empty threats of separation or deportation of prison guards; and more than anything—in the dehumanizing, oft-arbitrary, and emotionally scaring combination of all or some of these measures, which were routinely experienced by children in immigration detention facilities.

Schrag uncompromisingly details the conditions at immigration detention facilities. Details are the crux of the study of immigration law and policy, which are comprised of dozens of ever-changing measures toward shifting categories of persons. Details are in the core of the representation work of immigrants, the individual details of their story can determine which category of migrants they fall into and what available forms of protections are there for them.

The detailed account in this context helps us to understand the sneaky presence of human rights violations. It is a presence that exists through the accumulation of materials, lapse of time, space, architecture, deprivation, attitudes, absence, deterrence, arbitrariness, procedure, and combinations of private initiatives and administrative requirements, and therefore is less obvious from a bird's eye view. The book provides an up-close opportunity to look into the lived experience of "baby jails." Once we grasp the lived-experience, we can also understand the ideology which drove the war against holding children in immigration detention—a strong commitment to humane values and to human rights, and a belief that this reality should never be a part of the lived experiences of any child. It is precisely those same details that accord for the ideology of the other warring party—the details of the lived experiences of the children, some of which were a result of neglect and others very much intentional and premeditated, were there in order to use children as bait, in a growingly exclusionary immigration regime. Children were and are put through the pain of immigration detention and separation

not because of themselves, but because they were perceived as a vessel through which a message could be sent to their family members. Under this ideology, children's rights and subjectivity were of inferior importance than the perceived interest of restricting immigration. It is precisely because of this ideology that the war to stop immigration detention of children has not come to an end. This is why administrations have continuously morphed new detention facilities, or expanded existing ones, despite the *Flores* settlement and the significant losses in court, often repeating in the new facilities many of the cruel measures of the previous facility.

In addition to the ideological components, the book explains the political economy drive of the war. On the one hand, the efforts to sustain, institutionalize, and expand the immigration detention of children, and families were supported by the private prison companies operating some of the facilities. On the other hand, the driving forces objecting to placing children in immigration detention relied on grants, donations, law school funding, and significant pro-bono work. The exploration of the economic driving forces connects to additional scholarship detailing the economic forces lobbying for the continuation of immigration detention and adds a child-focused angle to it (García Hernández 2019).

This moving, rich, and thought-provoking book does not have a victorious ending. Immigration detention of children has not been eliminated despite the thirty-five-year-long battle. Yet it leaves the reader inspired, as it illustrates the breadth of the impact of lawyers for social change. In this war to end detention of children, "peace," so to speak, would only be achieved by a real commitment to the primacy of the rights of children over other perceived interests, which should include joining the Convention on the Rights of the Child.

References

- García Hernández, César Cuauhtémoc. 2019. *Migrating to Prison: America's Obsession with Locking Up Immigrants*. New York: The New Press.

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