

FitzGerald points to the need for academic research which credibly shows harm done by deterrence measures when they are implemented in places where legal remedies are ineffective (257), for example the inaction of the courts in the US and Australia when it comes to enforcing international law, and to the role scholars must play in pushing back against the language and consequences of “crisis,” thereby minimizing longer-term harm (259). For scholars of law and society in particular, FitzGerald’s research offers us an opportunity to consider the causes and consequences of legal failings, both international and domestic, which are at play in deterring asylum seekers. The relative weakness of mechanisms for international legal protections in destination countries, the rise of domestic legislation and safe third country designed to make physical access to territories and legal access to the process more difficult than ever, and increases in the use of immigration detention for those seeking asylum are not incidental, they build a legal environment in which structural forms of deterrence are possible and effective.

Further research might ask when and where law continues to be (in)effective by design, when these legal failures are a matter of a gap between the spirit and letter of the law, which of them may be tied to other social and political movements such as the rise of the right-wing, and how the consequences of this legal order maintain and perpetuate an array of harms on all sides of borders.

## References

- Ahmed, Azam and Kirk Semple. “Photo of Drowned Migrants Captures Pathos of Those Who Risk It All.” *New York Times*, June 25, 2019.
- Slovic, Paul, Daniel Västfjäll, Arvid Erlandsson, & Robin Gregory (2017) “Ebb and flow of empathic response,” 114 *Proceedings of the National Academy of Sciences* 640–4.

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*Legal Passing: Navigating Undocumented Life and Local Immigration Law.* By Angela S. García. Oakland: University of California Press, 2019

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Angela S. García’s excellent new book, *Legal Passing: Navigating Undocumented Life and Local Immigration Law* examines how

federal, state, and local immigration laws shape the daily lives of undocumented Mexican immigrants. With clear prose and penetrating detail, the book upends popular narratives that depict undocumented immigrants as passively living “in the shadows.” Instead, the book argues that immigrants adapt to their local environments strategically. Theoretically and empirically rich, socio-legal scholars will find García’s place-based account of undocumented immigrants’ shifting legal attitudes, behaviors, and identities both persuasive and provocative.

This comparative case study primarily draws from in-depth interviews with undocumented Mexican immigrants in two Southern California cities, chosen because of their dramatically different policies toward undocumented immigrant residents. Santa Ana, the more welcoming of the two jurisdictions, is a “sanctuary” city where local police do not cooperate with immigration enforcement authorities and local officials have passed policies to support immigrant residents. In contrast, local law enforcement agencies in Escondido have a long history of cooperating with Immigration and Customs Enforcement and local officials passed a city ordinance that, if implemented, would have outlawed renting apartments to undocumented residents. Escondido and Santa Ana, which are fewer than 75 miles apart, embody “the theoretical concepts of local sociolegal exclusion and inclusion” (40) that form the backdrop for the book’s examination of immigrant incorporation. In each subsequent chapter, García traces how these cities’ divergent policy environments impact undocumented residents’ lives—affecting everything from their sense of deportability, to their daily routines, embodied practices, and childrearing decisions.

While nativists may hope exclusionary immigration policies will encourage undocumented residents to move elsewhere, García’s survey and interview data reveal that local policies in fact do *not* impact undocumented immigrants’ settlement choices. Immigrant residents in Escondido choose to stay put, often with the support of employers, friends, and local churches, because of the tremendous costs that moving would impose on their jobs and their familial routines. Respondents also navigated daily life with a keen awareness that local groups were challenging Escondido’s anti-immigrant housing ordinance through litigation, and that the measure might never be implemented.

Chapter 4 argues that local contexts shape undocumented immigrants’ sense of their deportability, in turn influencing their daily routines, their choices about navigating physical space, and their willingness to engage with local law enforcement. In the more accommodating locale of Santa Ana, respondents traversed throughout the city with relative ease, more concerned about bike lanes and traffic safety than encounters with authorities. In contrast, undocumented residents in Escondido carefully altered daily

routines of going to work, running errands, or driving children to school, all in an effort to avoid interactions with police and the subsequent threat of deportation. The point here is not that undocumented residents in Escondido retreat from public life, but that they navigate public spaces with more caution and anxiety than similarly situated residents in Santa Ana.

In Chapter 5, the book introduces its defining contribution: *legal passing*, “a strategic presentation of self to the outside world” in which immigrants adopt “characteristics associated with mainstream, US-born groups to mask unauthorized immigration status” (134). According to García, undocumented immigrants engaged in legal passing in exclusionary contexts like Escondido, carefully cultivating their public personas to seem more stereotypically “American.” In one particularly poignant example, García describes Lorena, a woman who has convinced her husband to change out of his landscaping uniform and into semi-professional attire on his drive home from work, because she worries that his uniform will attract police attention. Later, Lorena’s husband arrives home from work, dressed in slacks and a long-sleeved button-down shirt. When García asks him about his sartorial ritual, he explains that changing his clothes to drive home has become routine and serves as a daily reminder of his wife and their love for each other. The prose in this chapter sings, and García’s keen rendering of the laws’ effects on migrants’ embodied practices is an important and novel contribution to scholarship.

While *Legal Passing* convincingly argues that immigrants adapt to undocumented life in locally specific ways, its argument about the relationship between legal passing and assimilation is far less satisfying. García argues that while legal passing *starts* as an adaptation strategy, it becomes internalized, leading migrants to “shed” and “subjugate” their “culture,” and in turn more rapidly assimilate (172). García is careful to explain that legal passing relies on *respondents’* narrow perceptions of “Americanness.” Yet, when García writes that “the act of legal passing forcibly distances undocumented Mexicans from their ethnic identity” (172) she essentially suggests that specific clothing, language, and consumption habits are inconsistent with particular identities.

García seems aware that her argument about undocumented immigrants’ rapid acculturation in politically hostile locales could be co-opted by immigrant restrictionists. To illustrate that this is an unfavorable development, she argues that legal passing is *coerced* assimilation, ultimately harmful to immigrants’ wellbeing. Still, while there is a great deal of evidence that restrictive immigration laws impose tremendous burdens on the economic, psychological, and physical wellbeing of undocumented immigrants and their families, it is not clear why these harms should come from *legal*

*passing*. If legal passing is a coping strategy designed to distance undocumented migrants from a racialized and marginalized social category, then the harms are a result of racist and discriminatory immigration laws, and *not* the strategies that individuals enact to survive living in a racist society. In this way, *Legal Passing* reflects the tendency of canonical studies of assimilation to overlook the enduring significance of racism and racialization on the adaptation of immigrants and their descendants.

These limits notwithstanding, *Legal Passing* is a real achievement and an outstanding contribution to law and society scholarship. As a study of legal consciousness, the book reveals how migrants perform legality through quotidian and embodied practices. It elucidates the uneven costs that “illegality” imposes across different geographies, demonstrating how space and place shape the effects of immigration laws, and how immigration laws also shape space and place. Eminently readable, *Legal Passing* will engage undergraduate and graduate students, as well as an interdisciplinary community of socio-legal scholars.

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*Ownership, Narrative, Things*. By David Cowan, Helen Carr, and Alison Wallace. London: Palgrave Macmillan, 2018

*Manufactured Insecurity: Mobile Home Parks and Americans' Tenuous Right to Place*. Esther Sullivan. Oakland: University of California Press, 2018

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The lack of affordable housing in England and America has led people to seek out less traditional and more precarious forms of housing. These books examine two such forms of precarious housing, shared ownership and mobile homes. In England Cowan et al. examine shared ownership, where the occupier buys a percentage of the dwelling, usually at least 25%, and then rents the remainder with the intent to “staircase,” to full ownership through subsequent share purchases (Cowan et al. 2018:15–16). In the United States Sullivan examines mobile home ownership and the precarious land-lease model through which the occupier owns the trailer but rents the lot (Sullivan 2018:1). The partial ownership of both forms of housing leads to the risk of eviction (Sullivan 2018) as well