

choosing to stay or go an economic calculus rather than a decision about membership and belonging” (101).

DACA recipients also suffered from an increased sense of vulnerability after the Trump administration attempted to rescind the program. A heightened sense of “legal liminality” of incompleteness, contingency, and volatility (107) permeates the narratives of interviewees from this group.

In the final chapter, Chen calls for a “national plan for immigrant integration... [that] would extend immigrant access to formal citizenship and thicken the meaning of citizenship to include social, economic, and civic engagement” (113). For green card holders, this would include a streamlined process toward naturalization, including government outreach to permanent residents about their eligibility for naturalization. International students should be allowed to express their intent to remain in the United States and should be provided a broader opportunity to extend their stay in the United States and “to plan their lives accordingly” (122) instead of being inhibited from integration. DACA recipients should be accorded “basic eligibility for citizenship and forgiveness of prior ineligibility” (123). Beyond access to formal citizenship, Chen calls for positive government efforts toward political, social, and economic integration of immigrants. America should thus renew its institutional commitment to immigrants pursuing citizenship (131)—both formal and substantive.

Chen successfully brings together the legal approach to citizenship, which focuses on visa categories, formal rights, and procedures under immigration law; and sociological studies of citizenship, which focuses on the social, economic, and political integration of immigrants. Chen does so with a keen awareness of how legal categories of citizenship interact with the substantive dimensions of citizenship—of how citizenship is “legally defined and socially constructed” (114).

The book is a clear, concise, and compassionate mission statement for an alternative vision of national immigration policy that is inclusive and supportive of immigrants pursuing full citizenship. It takes note of and engages with a range of views across the literature and takes account of the differences in nuance among immigrant voices in the same legal category.

The book invites further analysis along two lines of inquiry. The first is the specific institutional support or practices that would be effective if the federal government was to become geared toward integration. The other would be to bring back the exploration of the lived realities of immigrants and citizenship in this book to a reflection upon theories of citizenship. National citizenship is meant to draw boundaries between nations, so while one of its functions is to include and integrate, the other might be to exclude. Different visa categories and notions of legality and illegality in immigration law are reflections of this function.

To what extent and how this function of citizenship as a gatekeeper should be reconsidered is a conversation that sociolegal scholars across the globe could continue, with the same degree of attention to both law and society that Chen demonstrates in this groundbreaking work.

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*Union by Law: Filipino American Labor Activists, Rights Radicalism, and Racial Capitalism.*

By Michael McCann and George I. Lovell. Chicago: University of Chicago Press, 2020. 504 pp. \$35.00 paperback

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*Union by Law* is a pioneering work of sociolegal scholarship that tells an interpretative history of nearly one century of struggles by Filipino American labor activists in the Pacific Northwest. Like Michael McCann’s first book, *Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization*, this one, written with George Lovell, sits in the canon of must-read studies on law and legal

mobilization (McCann, 1994). *Union by Law*, through its methodological praxis and analytical lens, challenges law and social movements scholars to make visible the role of law amidst the shifting logics of racial capitalism—to trace the ways that law globally co-constitutes the “hierarchical and ideological structures...[that secure] protection for unequal private property, exchange-based contractual relationships, and commodified differentiation of value regarding human and non-human resources” (15).

To date, most case studies on legal mobilization are temporally and spatially restricted to specific moments of legal contestation directed at defined policy issues. In sharp contrast, *Union by Law* is a transnational, subaltern re-telling of two generations of legal mobilization and rights activism leading up to the Supreme Court’s tragic, watershed decision in *Wards Cove Packing Company v. Atonio*. *Wards Cove*, in McCann and Lovell’s terms, symbolized “a civil rights massacre”: the neoliberalization of civil rights doctrine and ascendance of post-civil rights era, racist economic ideology beginning in the late 1980s (339). The case, brought by minority cannery workers and their allies, “killed” (in Robert Cover’s theoretical sense) important civil rights precedent and normative rights visions for an equal and just workplace (Cover, 1986). The official decision of the Court, the book uncovers, also strategically ignored widespread evidence of invidious racial and gender discrimination experienced by generations of Filipino, Indigenous, Asian, and Pacific Islander workers in the canneries of the Pacific Northwest. It is this violence and resistance to it—not just on the job, but also in the legal domain—that *Union by Law* centers. How, the book asks, did we get to *Wards Cove*, and what can we learn from generations of Filipino labor activists and their dynamic historical experiences and actions?

In five parts preceding the subaltern re-telling of *Wards Cove*, *Union by Law* draws together decades of original research, including archival research, oral histories, and interviews with activists, to demonstrate how “broadly and continuously law constituted the Filipino experience” and worker resistance from the post colony to the metropole (23). The complexity of the relationship between law and the Filipino immigrant workers’ radical grassroots organizing and political contestation, McCann and Lovell convincingly insist, can only be understood in the context of the colonial history that produced the transnational migratory circuits of conscripted labor in the first place. In unusual yet vitally important historical Prologues to Parts I and II, *Union by Law* draws on a wide array of secondary scholarly studies of Filipino history as a window into the development of racializing labor processes. Why immigrant workers came to the United States in different moments—in response to colonialism, to family reunification law, or to Marco’s overseas employment program—encouraged and discouraged radical collectivist politics in different moments.

With knowledge of these migratory histories as backdrop, the proceeding chapters generate a beautifully written, painstakingly researched narrative of labor resistance amidst shifting national and transnational politics. The first generation of labor militants in the 1930s endured and responded to white nativist groups, racist unions, and exploitative business interests through radical Left immigrant labor activism. As indebted contract workers who were “condemned to a status of rightlessness,” they slowly developed transnational support structures and resources to engage in rights activism and ultimately, union formation—transforming the terms of their employment and their working conditions. In contrast to what critical legal scholars might expect, their rights activism bolstered, rather than detracted from their class-based struggles. The first generation of Filipino workers, drawing on New Deal work laws and inspiration from the ILWU and the BSCP, built unions, went on strike and engaged in “civil rights unionism.” The core of their project was not just improved working conditions, but the realization of egalitarian rights and democratic socialism (153). They were anti-imperialist, anti-capitalist, and antiracist.

The second generation of radical rights activists and militant unionists, however, faced expanded contestation over their legal visions and ideas. In the context of Cold War domestic politics and the post-war rise of President Ferdinand Marcos in the Philippines, the leftist Filipino activist protagonists of the 1970s faced a complacent and unresponsive union alongside Marcos apologists and supporters. In turn, they built new independent organizations patterned after the earlier unions and mobilized legal resources, culminating in *Wards Cove*. Though ambivalent—and even skeptical—

about the law's promise to dismantle hierarchy, the activists saw Title VII (alongside persistent grassroots organizing) as a resource to leverage law in favor of subaltern workers' conceptual challenges to institutionalized racial and gendered inequality.

This long history of two generations of Filipino labor rights activists developed in *Union by Law* includes many multi-generational complex worker struggles and collective sociolegal praxis. Across time and space, activists took on dominant power structures in the United States and the Philippines and responded to the willful actions of state officials enforcing exploitation through law. In this sense, they were ardent internationalists—not merely interested in labor peace or improved wages, but more broadly in labor advocacy and rights activism as a means to achieve socialist democracy in the United States, in the Philippines, and around the world. And yet, these worker activists still engaged and leveraged the hegemonic ideals of US legal liberalism in attempt to reconstruct and transform their worlds.

*Union by Law* is a pioneering subaltern history of immigrant workers and their relationship to law and legal institutions in the 20th century. The book should fundamentally reshape how we do research on legal mobilization and social movements. Rather than analyzing discrete, bounded episodes of law and organizing, this pioneering study examines resistance across time and space in order to capture questions of differential power, to understand the development of *nomoi* and narratives, and to see clearly the long-term dynamics of racial hierarchy and global empire. Though unique in its narrative, lens, and methodology, the book confirms much of what sociolegal scholars like Stuart Scheingold and Michael McCann himself have long argued: law is variegated both for and against social justice; official law is repressive in most moments but can signal possibility in others (McCann, 1994; Scheingold, 1974). In *Union by Law*, unfree, noncitizen Filipino labor activists struggled to expand and mobilize their rights and use law to refigure their worlds into a more radical vision, but the enforcement of neoliberal ideology amidst racial capitalist empire limited their contestation both within and against law, serving as a formidable constraint on the realization of a more just world.

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*A Pattern of Violence: How the Law Classifies Crimes and What It Means for Justice*. By David Alan Sklansky. Cambridge, MA: Belknap Press. 336 pp. \$29.95 hardcover

Reviewed by John F. Pfaff, Fordham University School of Law, New York, NY, USA

There is perhaps no issue more critical or central to criminal legal reform than how we think about and approach violence. Over half the people in US prisons have been convicted of a violent crime, and many of those convicted of "nonviolent" crimes received prison sentences because of uncharged or unconvicted violent conduct. And as Franklin Zimring and Gordon Hawkins pointed out in their book *Crime Is Not the Problem* (1999), the fear of violence, lethal violence in particular, suffuses the decisions made at every level of the criminal legal system.

Yet serious discussions about how to approach and think about violence are still the third rail of criminal legal reform. Reformers remain apprehensive to even raise the issue, while defenders of the status quo are quick to exploit each and every act of violence to push back against change. Thus