

## References

- Hacker D** (2017) *Legalized Families in the Era of Bordered Globalization*. Cambridge: Cambridge University Press.
- Laughland O** (2018) Trump suggests he will end birthright citizenship with executive order, *The Guardian*, 30 October. Available at <https://www.theguardian.com/us-news/2018/oct/30/trump-birthright-citizenship-executive-order-14th-amendment> (accessed 6 March 2019).
- Rucker P** (2018) Donald Trump says he is considering new family separation at US-Mexico border, *The Independent*, 14 October. Available at <https://www.independent.co.uk/news/world/americas/donald-trump-family-separation-us-mexico-border-illegal-immigration-white-house-a8583226.html> (accessed 6 March 2019).
- Yakabuski K** (2018) Canada needs an honest debate about birthright citizenship, *The Globe and Mail*, 1 November. Available at <https://www.theglobeandmail.com/opinion/article-canada-needs-an-honest-debate-about-birthright-citizenship/> (accessed 6 March 2019).

## Book Review

# Considering children's hunger in the era of bordered globalisation

Arianne Renan Barzilay\*

Faculty of Law, University of Haifa

\*Corresponding author. E-mail: [arianne@law.haifa.ac.il](mailto:arianne@law.haifa.ac.il)

doi:10.1017/S1744552319000181

In *Legalized Families in the Era of Bordered Globalization* (2017), Daphna Hacker charts new ground in a field she identifies and defines as familiarity in the era of bordered globalisation (pp. 2, 5, 37, 40). The book, meticulously crafted and blending insights from both law and sociology, is a tour de force of contemporary socio-legal scholarship. It powerfully argues that today's families are fusion families, at once both grounded within borders and extending into global space; it beautifully illuminates how *all* families – those that have all their members living under one roof and those whose members are spread out across the globe – are in fact living within the framework of bordered globalisation (Hacker, 2017, p. 43). The phenomenon she identifies as 'globordered families' (Hacker, 2017, p. 43) is vividly illustrated with regard to one of the most challenging manifestations of this world order: children's hunger.

Chapter 6, entitled 'Feeding children', explores the challenges of feeding children in impoverished parts of the world. It paints a poignant picture of children's hunger. In the poorest parts of the world, a person dies of starvation every 3.6 seconds and most are under the age of five; there are almost 800 million hungry people in the world and 98 percent of them live in developing countries; and 156 million children are underdeveloped for their age due to lack of adequate nutrition (Hacker, 2017, p. 198).

The quest for food has led to three solutions, which Hacker juxtaposes at the outset: Parental Remittances, Working Children and Intercountry Adoption. The first solution identified is the practice of sending parental remittance payments by a parent who has left a child in a developing country and crossed borders in the quest to secure economic needs. The second is the practice of child labour in developing countries. The third is the practice of parents in developing countries giving up children for adoption to parents in affluent countries. In this short review, I can focus only on remittance payments and child labour. In this regard, Hacker shows how the common, normatively accepted solution of parents' labour migration to developed countries is actually deeply problematic. In a provocative argument, she argues that the option of child labour, which has for decades been condemned by the West, actually has the potential to be empowering for children and could better ameliorate children's hunger.

Despite the narrative that parents' labour migration is done to benefit children left behind, Hacker shows that, in fact, research does not prove this to be the case. It is unclear, for example, whether and how much of remittance payments are actually funnelled to the children themselves, or rather to extended kin, who may be caring for the child (Hacker, 2017, pp. 202–204). Legally, she notes, it is unclear whether remittance payments are conceptualised as child support or as a payment for care, or even a gift to the family left behind with which the family can do as it pleases. What happens to the payments if the care stops or is neglectful? The little empirical evidence on the subject challenges the assumption that remittance payments benefit children first and foremost; rather, it seems as though they are perceived as an asset of the extended family as a whole, because of a culture of deference and respect towards the family (Hacker, 2017, pp. 204–206). Hacker exposes the human drama behind the numbers of labour migration, the feelings of abandonment among children, the emotional costs of separation and the way the relationship between the far-away parent and child is commodified: separation is justified by children only when there is a robust economic upside. She shows how parenthood and love themselves are constructed concepts and that in this context they are equated with a willingness first and foremost to provide economically for children (Hacker, 2017, pp. 207–209).

This, Hacker argues, stands in stark contrast to the framing of the parent–child relationship in developed countries today, in which a physical relationship between a child and *both* parents is considered essential, so much so that it may come at the expense of a parent's autonomy to relocate and is deemed necessary even if joint custody is harmful to the specific child (2017, p. 212). In contrast to children in developed countries who are at the centre of custody disputes, children of developing countries are invisible in the debates about labour migration. The power of bordered globalisation supports separation of such children from parents and, ironically, many of these labour immigrants, specifically women, are hired to provide forms of family care to children in developed countries (Hacker, 2017, pp. 207, 213).

Thinking of such labour migration through the prism of work/family conflict may be further illuminating. Families in developed countries may be better able to juggle the conflict; that is, parents outsource some family care, while avoiding total separation from their children, due, in part, to the labour migration of other parents that results in separation from their own children. All the while, the work/family conflict is intensified for families in developing countries. Yet outsourcing family care does not really solve the work/family conflict for families in developed countries; it might even escalate it because, now, the *norm becomes outsourcing care* and the long work hours demanded from families in developed countries (Williams, 2000; Renan Barzilay, 2012) that require outsourcing in the first place, and that fuel bordered globalisation, may be further enhanced.

Hacker advocates for child labour. She claims that shielding children from the workforce creates an infantilisation expanding long after infancy and contributes to children's narcissism and incompetence. She argues that banning child labour ignores that this is a valid option for feeding children (Hacker, 2017, pp. 221–222).

Here, it is illuminating to look back at developments in developed countries themselves, taking place 100 years ago. In the early twentieth century, girls in the US aged ten to fourteen laboured for the benefit of their families in sweatshops and factories during industrialisation, in poor and dangerous conditions. In 1911, almost 150 girls lost their lives in one of the most notorious industrial fires – the triangle shirtwaist factory fire in lower Manhattan. This disaster invigorated efforts to regulate labour conditions (Orleck, 1995). One hundred years later in Bangladesh, in 2013, over 1,000 workers, among them factory girls, were killed in the Rana Plaza disaster as they were manufacturing clothes to be sold in developed countries through global supply chains (ILO, no date). But, as opposed to the regulation of child labour in developed countries, which was accompanied by some, albeit lean, welfare policies (Muncy, 1991), the global restriction on child labour today lacks adequate supports. In effect, what we pay for these clothes is implicitly considered sufficient foreign aid.

It is no wonder then that, according to the International Labour Organization (ILO), 150 million children in developing countries are working today (ILO, 2017). Hacker claims that allowing child labour under safe conditions would benefit children and alleviate children's hunger. But the same

questions posed by Hacker about remittance payments may also be asked here: who would get the benefits of children's wages if the cultural norm is to concede to ideals of familial respect and honour? Moreover, to what degree is it valid to assume that work can alleviate poverty in this context? Beyond the practical problems of ensuring safe working conditions – which are vast and complicated – one could also argue that encouraging child labour would *reproduce* the hyper-capitalism that enabled bordered globalisation to begin with and *reinforce* the imposition of all-encompassing work norms of the US on developing countries.

Hacker shows there are no simple solutions to the dire need to feed children in the era of bordered globalisation. But this is why Hacker's conceptualisation is so crucial – to make us notice that we are all living within the framework of globordered families. To do so might help us realise what is at stake and the global responsibility that is needed to ensure that children have a right to minimal standards of living, while children and parents, both in developed and developing countries, have a right to family life. Hacker's aspiration is based on an underlying commitment to support children's needs and an understanding that the fundamental need for food is often underscored by another form of children's hunger – a hunger not only for nutrition, but also for parental nurturance. These two dimensions of children's hunger – for food and for relationships – fuel Hacker's important discussion of feeding children in the era of bordered globalisation. As for the ways to achieve such a vision, these remain largely outside the scope of the chapter. How is it possible to offer decent pay, and a chance at economic prosperity, while providing safe working conditions, adequate work hours and ways to maintain parent-child relationships? These are the questions with which we must continue to grapple.

## References

- Hacker D** (2017) *Legalized Families in the Era of Bordered Globalization*. Cambridge: Cambridge University Press.
- International Labour Organization (ILO)** (2017) *Global Estimates of Child Labour: Results and Trends 2012–2016*. Geneva: International Labour Organization.
- International Labour Organization (ILO)** (no date) The Rana Plaza accident and its aftermath. Available at [https://www.ilo.org/global/topics/geip/WCMS\\_614394/lang--en/index.htm](https://www.ilo.org/global/topics/geip/WCMS_614394/lang--en/index.htm) (accessed 6 March 2019).
- Muncy R** (1991) *Creating A Female Dominion in American Reform, 1890–1935*. Oxford: Oxford University Press.
- Orleck A** (1995) *Common Sense and A Little Fire: Women and Working-class Politics in the United States, 1900–1965*. Chapel Hill: University of North Carolina Press.
- Renan Barzilay A** (2012) Back to the future: introducing constructive feminism for the twenty-first century – a new paradigm for the Family and Medical Leave Act. *Harvard Law and Policy Review* 6, 407–435.
- Williams J** (2000) *Unbending Gender: Why Family and Work Conflict and What to Do About It*. Oxford: Oxford University Press.

## Book Review

### Old age in an era of migrant elder care

Nina A. Kohn\*

College of Law, Syracuse University

\*Corresponding author. E-mail: [nakohn@law.syr.edu](mailto:nakohn@law.syr.edu)

doi:10.1017/S1744552319000193

Many scholars have discussed the fact that population ageing is a global phenomenon and that old age is a global concern. Yet, surprisingly few have considered the impact of globalisation on ageing. Daphna Hacker's chapter on 'old age' in her new book, *Legalized Families in the Era of Bordered Globalization* (2017), is thus a welcome addition to the literature. In this essay, I describe the chapter's key contributions to the understanding of elder care and family law more broadly, and then – building

© Cambridge University Press 2019