

Law & Society REVIEW

VOLUME 54 — NUMBER 4 — DECEMBER 2020



LAW & SOCIETY

Review

Policy

The *Law & Society Review* is a peer-reviewed publication for work bearing on the relationship between society and the legal process, including articles or notes of interest to the research community in general, new theoretical developments, results of empirical studies, and comments on the field or its methods of inquiry. The *Review* is broadly interdisciplinary and welcomes work from any tradition of scholarship concerned with the cultural, economic, political, psychological, or social aspects of law and legal systems.

Manuscript Submission

Manuscripts submitted to the Review must not be under consideration by another journal, or have been published or be pending publication elsewhere. While there is no strict page limit on articles published in the *Review*, most are between 25 and 45 pages (8,000 to 14,000 words); the editor must determine that an article significantly longer than 45 pages is sufficiently important to warrant allocating the additional space.

All manuscript submissions are handled electronically. Information on the electronic formats that are currently acceptable and specific guidelines concerning the preparation of manuscripts (e.g., spacing, margins, fonts, handling identifying information, and the *Review's* style sheet for citations) can be found on the *Review's* submission website at <http://www.lawandsociety.org/review/mansubm.htm>. A condensed style sheet can be found at the end of each issue.

Information and links for the actual submission are on the submission website. Questions about the submission process should be directed to the editorial office at lsr@umbc.edu. Please direct inquiries about **book reviews and review essays** to Professor Hadar Aviram, aviramh@uchastings.edu.

2020 Law and Society Association Membership

Membership in the Association is open to individuals and includes a subscription to *LSR*. Annual dues are on a sliding scale according to income. The category, "Special International" is for members who reside in developing countries (see qualifying list on the LSA website) and who elect to receive the journal only online. Dues (as expressed in U.S. dollars) for 2020 (*Law & Society Review* Volume 54) are:

Student	\$50.00	\$35,001–\$60,000	\$111.00
Special International	\$24.00	\$60,001–\$90,000	\$152.00
Under \$15,000	\$50.00	\$90,001–\$125,000	\$186.00
\$15,001–\$35,000	\$82.00	\$125,001–\$165,000	\$223.00
		>\$165,000	\$265.00

The Association awards a number of prizes to recognize exceptional scholarship and work in the field of law and society. Contributions to the Law and Society Association and to its prize funds are tax exempt. The annual meeting of the Association is held in late spring/summer.

Direct communications about membership, the annual meeting, and other programs of LSA to: Law and Society Association, University of Massachusetts Amherst, 417 Machmer Hall, 240 Hicks Way, Amherst, MA 01003-9278. Telephone: 413-545-1694; e-mail: lsa@lawandsociety.org; Website: <http://www.lawandsociety.org>.

The *Law & Society Review*, its editors, editorial board, and publisher, and the Law and Society Association disclaim responsibility and liability for any statements of fact or opinion made by contributors.

© The Law and Society Association 2020. All Rights Reserved.

LAW & SOCIETY

Review

Editor:	Rebecca L. Sandefur, <i>Arizona State University</i>
Book Review Editor:	Hadar Aviram, <i>University of California, Hastings</i>
Managing Editor:	Danielle McClellan
Editorial Assistant:	Katie Billings
Production Editor:	Sheeba Martin, Wiley Blackwell

Associate Editors

Jon Gould, Arizona State University

Robert M. Lawless, University of Illinois at Urbana-Champaign

Elizabeth Mertz, American Bar Foundation and University of Wisconsin at Madison

Jennifer K. Robbennolt, University of Illinois at Urbana-Champaign

Nicole Gonzalez Van Cleve, Brown University

Editorial Advisory Board

Monica C. Bell, Yale University

Ellen Berrey, University of Toronto

Rachel A. Cichowski, University of
Washington

Elizabeth Chambliss, University of South
Carolina

Renee Cramer, Drake University

Lynette J. Chua, National University of
Singapore

Catrina Denvir, Monash University

Anne Fleming, Georgetown University

Pamela Foohey, Indiana University

Tracey E. George, Vanderbilt University

Elizabeth Gorman, University of Virginia

Sara Sternberg Greene, Duke University

Dalié Jimenez, University of California,
Irvine

Deepa Das Acevedo, University of
Alabama School of Law

Jonathan Klaaren, University of the
Witwaterstrand

Matthias Kilian, University of Cologne

Sida Liu, University of Toronto

Alyx Mark, Wesleyan University
Osagie K. Obasogie, University of
California, Berkeley

Pascoe Pleasence, University College,
London

Emily Taylor Poppe, University of
California, Irvine

Susan S. Silbey, Massachusetts Institute of
Technology

James Teufel, Moravian College

Kathryne M. Young, University of
Massachusetts, Amherst

Copyright and Copying: © 2020 Law and Society Association. All rights reserved. No part of this publication may be reproduced, stored or transmitted in any form or by any means without the prior permission in writing from the copyright holder. Authorization to copy items for internal and personal use is granted by the copyright holder for libraries and other users registered with their local Reproduction Rights Organisation (RRO), e.g. Copyright Clearance Center (CCC), 222 Rosewood Drive, Danvers, MA 01923, USA (www.copyright.com), provided the appropriate fee is paid directly to the RRO. This consent does not extend to other kinds of copying such as copying for general distribution, for advertising or promotional purposes, for republication, for creating new collective works or for resale. Permissions for such reuse can be obtained using the RightsLink "Request Permissions" link on Wiley Online Library. Special requests should be addressed to: permissions@wiley.com

Information for subscribers: *Law & Society Review* is published in four issues per year. Institutional subscription prices for 2020 are: Print & Online: \$786 (US), \$1152 (Rest of World), €749 (Europe), £591 (UK). Prices are exclusive of tax. Asia-Pacific GST, Canadian GST/HST and European VAT will be applied at the appropriate rates. For more information on current tax rates, please go to www.wileyonlinelibrary.com/tax-vat. The price includes online access to the current and all online backfiles to January 1st 2016, where available. For other pricing options, including access information and terms and conditions, please visit www.wileyonlinelibrary.com/access

Delivery Terms and Legal Title: Where the subscription price includes print issues and delivery is to the recipient's address, delivery terms are Delivered at Place (DAP); the recipient is responsible for paying any import duty or taxes. Title to all issues transfers Free of Board (FOB) our shipping point, freight prepaid. We will endeavour to fulfil claims for missing or damaged copies within six months of publication, within our reasonable discretion and subject to availability.

Back issues: Single issues from current and recent volumes are available at the current single issue price from cs-journals@wiley.com.

Journal Customer Services: For ordering information, claims and any enquiry concerning your journal subscription please go to www.wileycustomerhelp.com/ask or contact your nearest office.

Americas: Email: cs-journals@wiley.com; Tel: +1 781 388 8598 or +1 800 835 6770 (toll free in the USA & Canada).

Europe, Middle East and Africa: Email: cs-journals@wiley.com; Tel: +44 (0) 1865 778315.

Asia Pacific: Email: cs-journals@wiley.com; Tel: +65 6511 8000.

Japan: For Japanese speaking support, Email: cs-japan@wiley.com.

Visit our Online Customer Help available in 7 languages at www.wileycustomerhelp.com/ask

LAW & SOCIETY REVIEW, (ISSN 0023-9216 [Print], ISSN 1540-5893 [Online]), is published quarterly on behalf of Law and Society Association by Wiley Subscription Services, Inc., a Wiley Company, 111 River St., Hoboken, NJ 07030-5774 USA.

Periodicals Postage Paid at Hoboken, NJ and additional offices.

Postmaster: Send all address changes to *LAW & SOCIETY REVIEW*, John Wiley & Sons Inc., C/O The Sheridan Press, PO Box 465, Hanover, PA 17331 USA.

View this journal online at wileyonlinelibrary.com/journal/lasr **Wiley Online Library**

Law & Society Review accepts articles for Open Access publication. Please visit <http://olabout.wiley.com/WileyCDA/Section/id-828081.html> for further information about OnlineOpen.

Production Editor: Sheeba Martin (email: lasr@wiley.com)

Advertising: Kristin McCarthy (email: kmccarthy@wiley.com).

Disclaimer: The Publisher, Law and Society Association and Editors cannot be held responsible for errors or any consequences arising from the use of information contained in this journal; the views and opinions expressed do not necessarily reflect those of the Publisher, Law and Society Association and Editors, neither does the publication of advertisements constitute any endorsement by the Publisher, Law and Society Association and Editors of the products advertised.

For submission instructions, subscription and all other information visit: wileyonlinelibrary.com/journal/lasr

Wiley is a founding member of the UN-backed HINARI, AGORA, and OARE initiatives. They are now collectively known as www.Research4Life, making online scientific content available free or at nominal cost to researchers in developing countries. Please visit Wiley's Content Access -Corporate Citizenship site: <http://www.wiley.com/WileyCDA/Section/id-390082.html>.

Wiley's Corporate Citizenship initiative seeks to address the environmental, social, economic, and ethical challenges faced in our business and which are important to our diverse stakeholder groups. Since launching the initiative, we have focused on sharing our content with those in need, enhancing community philanthropy, reducing our carbon impact, creating global guidelines and best practices for paper use, establishing a vendor code of ethics, and engaging our colleagues and other stakeholders in our efforts. Follow our progress at www.wiley.com/go/citizenship

Printed in the USA by The Sheridan Group.

This journal is printed on acid-free paper.

LAW & SOCIETY

Review

Volume 54
Number 4
2020

Contents

Editorial

- Editor's Note
Rebecca L. Sandefur 749

Special Issue: Immigration Detention

- Introduction to the Special Issue on Immigration Detention
Emily Ryo 750
- Collective Liminality: The Spillover Effects of Indeterminate Detention on Immigrant Families
Mirian G. Martinez-Aranda 755
- The Institutional Hearing Program: A Study of Prison-Based Immigration Courts in the United States
Ingrid Eagly and Steven Shafer 788

In Memoriam: Tributes to Sally Engle Merry

- The Master Translator: Sally Merry and the Interdisciplinary Study of Law
Jennifer E. Telesca and Matthew Canfield 834
- Sally Engle Merry and Global Legal Pluralism
Paul Schiff Berman 839
- Sally Engle Merry, Legal Pluralism, and the Radicalization of Comparative Law
Jeremy Webber, Val Napoleon, Mirville Fournier, and John Borrows 846
- Sally Engle Merry: A Deeply Appreciative Remembrance
Michael McCann 858
- My Walks for 21 Years with Sally Engle Merry
Nan Stein 864

Tribute to Sally Merry's Scholarship from an International Law Perspective <i>Caroline de Lima e Silva</i>	868
Sally Merry as an Advisor & Advocate for Law & Society Scholars <i>Jessica López-Espino</i>	874
On 2020, Sally Merry, and Sociolegal Studies in Interesting Times <i>Gwendolyn J. Gordon</i>	877
Remembering Aunt Sally <i>Justin B. Richland</i>	880
Professor Sally Engle Merry: A Candid and Caring Giant <i>Xin He</i>	885
Remembering Sally Merry: Exemplary Teacher and Mentor <i>Mihaela Șerban</i>	890
Sally Engle Merry: An Appreciation from Hawai'i <i>Marilyn Brown</i>	893
Exposing Indicators' Fragility: Sally Engle Merry's Contribution to the Study of Governance Indicators <i>Andrea Boggio</i>	897
Sally Merry: Mentor Extraordinaire <i>Melissa Lefkowitz</i>	901

Book Reviews

Justin Marceau. <i>Beyond Cages: Animal Law and Criminal Punishment</i> <i>John Bliss</i>	903
Nicholas Rush Smith. <i>Contradictions of Democracy: Vigilantism and Rights in Post-Apartheid South Africa</i> <i>Mark Fathi Massoud</i>	906
Mary Ziegler. <i>Beyond Abortion: Roe v. Wade and the Battle for Privacy</i> <i>Radhika Rao</i>	908
Andrea Freeman. <i>Skimmed: Breastfeeding, Race, and Injustice</i> <i>Renée Ann Cramer</i>	910
Sarah Beth Kaufman. <i>American Roulette: The Social Logic of Death Penalty Sentencing Trials</i> <i>Paul Kaplan</i>	914
Paul M. Renfro. <i>Stranger Danger: Family Values, Childhood, and the American Carceral State</i> <i>Daniel LaChance</i>	917