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*Beyond the Borders of the Law: Critical Legal Histories of the North American West* ed. by Katrina Jagodinsky and Pablo Mitchell (review)

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exert over undocumented Mexican construction workers within Arizona's current anti-immigrant atmosphere. By elucidating the contours of this pattern and others, *Mexican Workers* skillfully conveys how central a controlled Mexican labor force has been, and continues to be, for Arizona's prosperity.

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*Beyond the Borders of the Law: Critical Legal Histories of the North American West.* Edited by Katrina Jagodinsky and Pablo Mitchell. (Lawrence: University Press of Kansas, 2018. Pp. xiii, 368. \$50.00 cloth; \$29.95 paper)

In *Beyond the Borders of the Law*, editors Katrina Jagodinsky and Pablo Mitchell have assembled an impressive volume of critical western legal history spanning the mid-nineteenth century to the twenty-first. Far from a portrait of the lawless West, the chapters collected in this volume illuminate multiple legal borderlands present in the West and culminate in what Jagodinsky calls “an indictment” of western legal history’s “slow integration of the critical insights” from critical race theory and borderlands history (p. 30).

The book's introduction by Jagodinsky is a successful “intellectual autobiography disguised as historiography,” which surveys the scholarly landscape through her own personal experience (p. 3). In the process, she stakes a claim for an academic identity and community at the intersection of legal borderlands, critical race theory, new western history, and critical legal studies. The volume's authors reveal the exciting work that such an intellectual community produces.

Part One groups three chapters on the legal borderlands of race and gender. The contributions from Sarah Deer and Alicia Gutierrez-Romine work particularly well. Deer places the fierce opposition to the 2013 Violence Against Women Act amendments (which expanded the scope of tribal criminal authority to include non-Indians who commit crimes of domestic violence on reservations) in the context of a long history of violence against Native women in the borderlands. In so doing, she outlines the legal borderlands on reservations where jurisdictional voids left Native women with no legal recourse against non-Indian perpetrators of domestic violence.

In contrast to Deer, who focuses on the legal borderlands of jurisdiction, Gutierrez-Romine examines the borderlands between legal and illegal abortion in southern California between 1930 and 1969. In her chapter, Gutierrez-Romine argues that the illegality of most abortions in California forced women to seek illegal, and often dangerous, abortions in Mexico. These legal, geographic, and medical borderlands provided both “a possibility for women to find relief” as well as a site “for the potential dangers and perils of illegal operations” (p. 123). The pieces by Deer and Gutierrez-Romine together reveal gendered borderlands that are especially precarious spaces for women. At the same time, they articulate ways in which women have navigated those precarious borderlands to assert agency over their own life paths.

The volume’s second part offers a cohesive focus on the legal borderlands of property and citizenship through three nineteenth-century case studies on topics ranging from black Californians’ land claims to white men’s navigation of marriage into Native families in the contest over resource access in Indian Territory. In this set of essays, the contribution from Tom I. Romero II, “Ditches and Desirability,” is exemplary and underscores how a borderlands approach to critical western legal history can produce innovative scholarship.

Romero argues that the history of water law in the West was an important factor in the development of immigration law and agricultural labor practices at the turn of the twentieth century. The West required irrigation to reclaim the land for agriculture and new settlement. “Desirable” immigrants were encouraged by the Colorado Bureau of Immigration to settle in Colorado, irrigate the land, and become yeoman farmers. Yet, as commercial agricultural interests grew, especially in the sugar beet industry, the state’s water law “quickly pivoted to reinforce commercial interests” (p. 181). Those interests included the need for large-scale, exploitable immigrant labor from Mexico. By examining the borderlands of Colorado, Romero demonstrates how the intersection of water law and immigration policy “inscribed racial hierarchy on the irrigated lands of the American West” (p. 183).

The third and final grouping of four chapters looks to the courts and justice system. Making use of quintessential methods of critical legal history, these authors deconstruct mandarin legal records “to show that common and marginalized historical actors bring to bear their own legal perspectives and customs on the hegemonic systems shaped by elites and vice versa” (p. 24). Andrea Geiger, for example, uses court records to reveal how an Alaska territorial courtroom produced a borderlands encounter “between Western and Indigenous

legal culture” (p. 231). The ultimate outcome of the murder trials she examines demonstrates not only how the judge took into consideration Indigenous cultural practices but also importantly demonstrates how Indigenous people navigated the colonial legal system and “spoke their truth to power and wrote their own stories into the record in ways important to them” (p. 245).

With a similar focus on the criminal-justice system, in her timely chapter, Kelly Lytle Hernández explores the construction of Southwest borderlands prisons, built specifically to incarcerate unlawful border crossers from Mexico into the United States. In contrast to the consideration given to the cultural practices of Alaskan Natives in Geiger’s example, Hernández demonstrates how stereotypes of Mexican immigrants were used in the 1930s to prepare Mexican men for deportation in ways that departed from “the principles of rehabilitation and reentry” that reformers touted for Anglo prisoners (p. 275).

The volume falters, and admittedly so by the editors, by failing to include even a single essay on Asian Americans in the borderlands West. Other silences are also conspicuous, such as the relative absences of the history of sexuality or (sub)urban history. One suspects, though, that Jagodinsky and Mitchell would convincingly point to these absences as illuminating the work still to be done in response to their call to other scholars to join the critical turn in western legal history.

Still, the quality of the contributions that are present in the volume is almost uniformly outstanding. While the artificial three-part structure of the volume obscures how the catch-all section of “Legal Borderlands of Race and Gender” is a theme that (rightly) permeates both Part Two on property and Part Three on courts, each contribution is a worthy read. Together the authors convincingly advocate for increased critical inquiry in, and the revitalization of, western legal history.

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*Many Nations Under Many Gods. Public Land Management and American Indian Sacred Sites.* By Todd Allin Morman. (Norman: University of Oklahoma Press, 2018. Pp. xi, 258. \$37.50 cloth)

Todd Allin Morman, an attorney with Nevada Legal Service’s Indian Law Project, begins this volume by relating a 2006 encounter between Steven Newcomb, founder of the Indigenous Law Institute, and Associ-