

Strangers

to the

*IMMIGRANTS,
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LAW*

Constitution

Gerald L. Neuman

Strangers To The Constitution

G. Edward White



Strangers To The Constitution:

Strangers to the Constitution Gerald L. Neuman, 2010-07-01 Gerald Neuman discusses in historical and contemporary terms the repeated efforts of U S insiders to claim the Constitution as their exclusive property and to deny constitutional rights to aliens and immigrants and even citizens if they are outside the nation s borders Tracing such efforts from the debates over the Alien and Sedition Acts in 1798 to present day controversies about illegal aliens and their children the author argues that no human being subject to the governance of the United States should be a stranger to the Constitution Thus whenever the government asserts its power to impose obligations on individuals it brings them within the constitutional system and should afford them constitutional rights In Neuman s view this mutuality of obligation is the most persuasive approach to extending constitutional rights extraterritorially to all U S citizens and to those aliens on whom the United States seeks to impose legal responsibilities Examining both mutuality and more flexible theories Neuman defends some constitutional constraints on immigration and deportation policies and argues that the political rights of aliens need not exclude suffrage Finally in regard to whether children born in the United States to illegally present alien parents should be U S citizens he concludes that the Constitution s traditional shield against the emergence of a hereditary caste of illegals should be vigilantly preserved

Strangers to the Constitution Gerald L. Neuman, 1996-01-01 Gerald Neuman discusses in historical and contemporary terms the repeated efforts of U S insiders to claim the Constitution as their exclusive property and to deny constitutional rights to aliens and immigrants and even citizens if they are outside the nation s borders Tracing such efforts from the debates over the Alien and Sedition Acts in 1798 to present day controversies about illegal aliens and their children the author argues that no human being subject to the governance of the United States should be a stranger to the Constitution Thus whenever the government asserts its power to impose obligations on individuals it brings them within the constitutional system and should afford them constitutional rights In Neuman s view this mutuality of obligation is the most persuasive approach to extending constitutional rights extraterritorially to all U S citizens and to those aliens on whom the United States seeks to impose legal responsibilities Examining both mutuality and more flexible theories Neuman defends some constitutional constraints on immigration and deportation policies and argues that the political rights of aliens need not exclude suffrage Finally in regard to whether children born in the United States to illegally present alien parents should be U S citizens he concludes that the Constitution s traditional shield against the emergence of a hereditary caste of illegals should be vigilantly preserved

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Vanessa B. Beasley, 2006 As the nation's ceremonial as well as political leader presidents through their rhetoric help to create the frame for the American public's understanding of immigration In an overarching essay and ten case studies Who Belongs in America explores select moments in U.S. immigration history focusing on the presidential discourse that preceded addressed or otherwise corresponded to events BOOK JACKET *Dred Scott and the Problem of Constitutional Evil* Mark A. Graber, 2006-07-03 Dred Scott and the Problem of Constitutional Evil first published in 2006 concerns what is entailed by pledging allegiance to a constitutional text and tradition saturated with concessions to evil The Constitution of the United States was originally understood as an effort to mediate controversies between persons who disputed fundamental values and did not offer a vision of the good society In order to form a more perfect union with slaveholders late eighteenth century citizens fashioned a constitution that plainly compelled some injustices and was silent or ambiguous on other questions of fundamental right This constitutional relationship could survive only as long as a bisectional consensus was required to resolve all constitutional questions not settled in 1787 Dred Scott challenges persons committed to human freedom to determine whether antislavery northerners should have provided more accommodations for slavery than were constitutionally strictly necessary or risked the enormous destruction of life and property that preceded Lincoln's new birth of freedom **Strangers to the Constitution**, **Making Foreigners** Kunal M. Parker, 2015-09-02 This book connects the history of immigration with histories of Native Americans African Americans women the poor Latino Americans and Asian Americans *Law in American History* G. Edward White, 2012 In this second installment of G. Edward White's sweeping history of law in America from the colonial era to the present White covers the period between 1865-1929 which encompasses Reconstruction rapid industrialization a huge influx of immigrants the rise of Jim Crow the emergence of an American territorial empire World War I and the booming yet xenophobic 1920s As in the first volume he connects the evolution of American law to the major political economic cultural social and demographic developments of the era To enrich his account White draws from the latest research from across the social sciences economic history anthropology and sociology yet weave those insights into a highly accessible narrative Along the way he provides a compelling case for why law can be seen as the key to understanding the development of American life as we know it Law in American History Volume II will be an essential text for both students of law and general readers **Threat of Dissent** Julia Rose Kraut, 2020-07-21 From the Alien Friends Act to the Cold War and the War on Terror the US has used ideological exclusions and deportations to suppress freedom of speech and association of foreigners depicted as threatening to national security Julia Rose Kraut

provides the first history of the tensions between immigration law and the First Amendment The ^APresident and Immigration Law Adam B. Cox,Cristina M. Rodríguez,2020-08-04 The President and Immigration Law reveals how the President has become our immigration policy maker in chief By deciding how to enforce the law administrations shape the polity sometimes clashing with Congress Rather than lament this dynamic as distorting the Constitution the authors demonstrate how it can advance the law s legitimacy and outline political principles and institutional devices to curb potential abuses Edward Preble Christopher McKee,2014-03-15 Originally published in 1972 Christopher McKee s biography of Edward Preble remains the most authoritative source on this influential early shaper of the U S naval tradition McKee documents Preble s rise from obscurity to become Thomas Jefferson s chief administrator He chronicles the officer s relationship with Jefferson and outlines the president s policies and strategies during the Barbary Wars McKee also brings to light the Tripolitan activities and attitudes that confronted Preble as he sought to bring the war to an end Legal Responses to Mass Migration Luigi Nuzzo,Michele Pifferi,Giuseppe Speciale,Cristina Vano,2025-04-11 This volume explores the legal history of migration and the role played by legal theories case law practices customary laws and legislations in shaping and governing mobility between the 19th century and the Second World War Based on different methodological approaches and sources including archival documents special courts decisions diplomatic materials legal journals and books and international treaties the chapters focus on countries of departure and destination both in Western and Eastern regions Confronted with mass migration Western legal science has been forced to rethink concepts and institutions such as borders citizenship and the principle of territoriality Special courts and administrative bodies were created to govern and control this new complex social phenomenon This work related to the national research project Legal History and Mass Migration Integration Exclusion and Criminalization of Migrants in the 19th and 20th Century Prin 2017 contributes to the investigation of the historical tensions between individual freedom of mobility and state sovereignty over border control It contributes to the current public debate on ius migrandi freedom of movement or the right to migrate showing the complexity of its historical dimension The book will be of interest to scholars in the fields of Legal History Legal Theory Sociology of Law International Migration Law Labor Law and Criminology as well as those working on themes related to Forced Migration and Refugee Studies Chapter 16 of this book is available for free in PDF format as Open Access from the individual product page at www.taylorfrancis.com It has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license Brain Gain Darrell M. West,2010-06-01 Many of America s greatest artists scientists investors educators and entrepreneurs have come from abroad Rather than suffering from the brain drain of talented and educated individuals emigrating the United States has benefited greatly over the years from the brain gain of immigration These gifted immigrants have engineered advances in energy information technology international commerce sports arts and culture To stay competitive the United States must institute more of an open door policy to attract unique talents from other nations Yet

Americans resist such a policy despite their own immigrant histories and the substantial social economic intellectual and cultural benefits of welcoming newcomers Why In Brain Gain Darrell West asserts that perception or vision is one reason reform in immigration policy is so politically difficult Public discourse tends to emphasize the perceived negatives Fear too often trumps optimism and reason And democracy is messy with policy principles that are often difficult to reconcile The seeming irrationality of U S immigration policy arises from a variety of thorny and interrelated factors particularistic politics and fragmented institutions public concern regarding education and employment anger over taxes and social services and ambivalence about national identity culture and language Add to that stew a myopic or worse press persistent fears of terrorism and the difficulties of implementing border enforcement and legal justice West prescribes a series of reforms that will put America on a better course and enhance its long term social and economic prosperity Reconceptualizing immigration as a way to enhance innovation and competitiveness the author notes will help us find the next Sergey Brin the next Andrew Grove or even the next Albert Einstein

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