1. Record Nr. UNINA9910455525603321 Autore Neuman Gerald L. <1952-> **Titolo** Strangers to the Constitution [[electronic resource]]: immigrants, borders, and fundamental law / / Gerald L. Neuman Princeton, N.J.,: Princeton University Press, c1996 Pubbl/distr/stampa **ISBN** 1-282-75239-1 9786612752391 1-4008-2195-9 1-4008-1279-8 Edizione [Course Book] Descrizione fisica 1 online resource (296 pages) Disciplina 342.73/082 347.30282 Noncitizens - United States Soggetti Emigration and immigration law - United States Civil rights - United States Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Includes bibliographical references (p. [191]-275) and index. Nota di bibliografia Nota di contenuto

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Sommario/riassunto

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.