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Boston College Law School

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Third World Law Journal to Hold Immigration Symposium

3/04/04—The Boston College Third World Law Journal and BC Law Professor Daniel Kanstroom are pleased to announce a major Symposium on Friday, March 19, 2004 entitled, “Immigration Law and Human Rights: Legal Line Drawing Post-September 11.” This day-long event will feature some of the leading experts in immigration, criminal, and human rights law.

“The events of September 11 forever changed America’s relationship with the world,” said BC Law Dean John Garvey. “From a legal perspective, there are a number of critical factors to consider within our relationships with other countries. We’re very pleased to be able to bring together some of the world’s foremost authorities on immigration law and human rights to study these issues.”

Symposium participants will examine the varied after-effects of the September 11, 2001 attacks. Legal lines—formal dichotomies—have been drawn between citizens and non-citizens, between those inside and outside of U.S. territory, and between those subject to the criminal justice system and those designated as ‘enemy combatants.’ The Symposium will address the intersection of these lines and consider what is at stake in such intersections for the future of human rights and the U.S. constitutional legal system.

This Symposium—a first initiative of our developing human rights program—seeks to blend fields that, until now, have not often been considered together—human rights law, immigration law, criminal law, and national security law,” Professor Kanstroom said. “These issues are at the top of the national and international legal agenda and the manner in which they are resolved by the Supreme Court will influence all of our lives in the most profound ways for many years to come. It is a great opportunity for us to have scholars and practitioners of this caliber at BC Law to share their insights.”

Symposium participants will be divided into two major panels. The first will examine how the citizen/noncitizen and civil/criminal dichotomies have been used by the Administration and conceived by courts in the post-September 11th environment. The afternoon panel will consider the territorial line in the Guantanamo detention cases and how international human rights law may apply to those and related matters. Each panelist will speak for about twenty minutes followed by ten minutes for questions from the audience and comments from other panel members.

Participants include Susan Akram (Boston University), Debra Brown Steinberg (Cadwalader, Wickersham and Taft), David Cole (Georgetown), Daniel Kanstroom (BC Law), Stephen Legomsky (Washington University), David Martin (University of Virginia), Teresa Miller (State University of NY, Buffalo), Nancy Morawetz (NYU), Mary-Rose Papandrea (BC Law), Sophie Robin-Olivier (Universite du Littoral-Cote d’Opal), and Margaret Taylor (Wake Forest).

A full schedule is below. For information contact Professor Daniel Kanstroom at kanstroo@bc.edu or David Sterrett at sterreda@bc.edu

Immigration Law and Human Rights Symposium Schedule
Friday March 19th 2004
East Wing 120

9:05
Welcome address by Dean John Garvey, Boston College Law School

9:10
Opening Remarks by Daniel Kanstroom, Boston College Law School

9:15
Introduction of the Citizen/Non-Citizen Line Panel by Moderator Margaret Taylor, Wake Forest University School of Law

9:20
Presentations by Citizen/Non-Citizen Line Panelists: 20 minutes each

Nancy Morawetz, New York University School of Law
"Detention Decisions and Access to Habeas Corpus for Immigrants Facing Deportation"

Susan Akram, Boston University School of Law
"The War on Terror or the New Crusades? Religion/Ethnicity vs. National Origin in Post 9-11 Profiling"

Daniel Kanstroom, Boston College Law School
"Human Rights, Constitutional Structure, and ‘the Pale of Law’: Post-September 11th Legal Line-Drawing"

10:45
Coffee Break

11:00
Presentations by Citizen/Non-Citizen Line Panelists continue

David Cole, Georgetown University Law Center
"Aliens and Non-Aliens Alike: The Permeability of the Citizenship Divide?"

Mary-Rose Papandrea, Boston College Law School
"The Public’s Right to Information and the Citizen/Non-Citizen Distinction"

Teresa Miller, University of NY at Buffalo Law School
"Deportation of ‘Criminal Aliens’: The Highest Expression of Penal-Welfarism?"

12:10
Discussion/Questions from Panelists and Audience
12:30
Luncheon at Barat House (for RSVP guests)

Speaker: Debra Brown Steinberg, Cadwalader, Wickersham, & Taft LLP,
"No Second Class Victims"

1:45
Introduction of the Human Rights & Territory Panel by Daniel Kanstroom, Boston College Law School

1:50
Presentation by Human Rights & Territory Panelists: 20 minutes each

David Martin, University of Virginia School of Law
"The Stakes in the Guantanamo Litigation"

Stephen Legomsky, Washington University School of Law
Sophie Robin-Olivier, Université du Littoral-Côte d'Opale
“Citizens and Non-Citizens: The European Union’s Measures Against Terrorism after September 11th”

3:20
Discussion/Questions from Panelists and Audience