



Ethics of Immigration
Conference
Washington and Lee
University
Nov. 6-7, 2015



MUDD CENTER
for ETHICS



Ethics of Immigration Conference
Washington and Lee University
Nov. 6-7, 2015
Schedule

FRIDAY, NOV. 6 • STACKHOUSE THEATER

4:30 p.m. Keynote Address: **Joseph Carens**, Professor of Political Science, University of Toronto
Title: "Immigration and Citizenship"

SATURDAY, NOV. 7 • HILLEL MULTIPURPOSE ROOM

8:30-9:00 a.m. Continental Breakfast

9:00-10:10 a.m. **Sarah Song**, "Immigration and the Limits of Democracy"
(Commentator: *Robin Le Blanc*, Professor of Politics and Director of Women's and Gender Studies, W&L)

10:20-11:30 a.m. **Shelley Wilcox**, "Unlocking Global Care Chains: Toward a Promising Feminist Approach to Immigration Justice"
(Commentator: *Melina Bell*, Associate Professor of Philosophy, W&L)

11:40 a.m.-12:50 p.m. **Cybele Fox**, "Unauthorized Welfare: The Origins of Immigration Status Restrictions in American Social Policy"
(Commentator: *Jon Eastwood*, *Laurent Boetsch Term* Associate Professor of Sociology, W&L)

- 1:00-2:20 p.m. Lunch/Lunch Panel Discussion: Current U.S. Immigration Policy (**David Baluarte**, **Lucas Guttentag**, **Margaret Hu**, and **David Martin**)
(Moderator: Sandy Reiter, Associate Professor of Business, W&L)
- 2:30-3:40 p.m. **Linda Bosniak**, “Wrongs, Rights, and Irregular Immigrants”
(Commentator: David Baluarte, Assistant Clinical Professor of Law, W&L)
- 3:50-5:00 p.m. **Félix Gutiérrez**, “Media Insiders and Media Outsiders: Ethical Issues in the News Coverage of Immigration”
(Commentator: Aly Colón, Knight Professor of Journalism Ethics, W&L)
- 5:10-6:20 p.m. **Reyna Grande**, “The Distance Between Us: Immigration and the American Dream”
(Commentator: Ellen Mayock, Ernest Williams II Professor of Spanish, W&L)

CONFERENCE PRESENTERS

- **Linda Bosniak**, Distinguished Professor of Law, University of Rutgers-Camden
- **Cybelle Fox**, Associate Professor of Sociology, UC-Berkeley
- **Reyna Grande**, Award-winning novelist and memoirist
- **Félix Gutiérrez**, Emeritus Professor of Journalism, Annenberg School for Communication and Journalism, University of Southern California
- **Sarah Song**, Associate Professor of Political Science and Professor of Law, UC-Berkeley
- **Shelley Wilcox**, Professor of Philosophy, San Francisco State University

CONFERENCE LUNCH PANELISTS

- **David Baluarte**, Assistant Clinical Professor of Law and Director, Immigrants Rights Clinic, Washington and Lee University
- **Lucas Guttentag**, Senior Counselor to the Director of U.S. Citizenship and Immigration Services, Department of Homeland Security
- **Margaret Hu**, Assistant Professor of Law, Washington and Lee University
- **David Martin**, Warner-Booker Distinguished Professor of International Law, University of Virginia School of Law

CONFERENCE SPEAKERS AND PANELISTS



David Baluarte: David Baluarte is assistant clinical professor of law and director of the Immigrant Rights Clinic at Washington and Lee University. He teaches and writes about topics ranging from immigration, refugees and stateless persons, and transnational law with a specific focus on international human rights law and practice. Before coming to W&L, he was a practitioner-in-residence and Arbenz Fellow in the International Human Rights Law Clinic (IHRLC) at American University Washington College of Law. In addition to his clinical teaching responsibilities in that capacity, he managed projects and consulted for the U.N. High Commissioner for Refugees (UNHCR) and the Open Society Justice Initiative (OSJI). Prior to that, he served as a staff attorney in the Immigration Unit of the U.S. Court of Appeals for the Second Circuit and as a staff attorney at the Center for Justice and International Law (CEJIL).



Linda Bosniak: Linda Bosniak is the Distinguished Professor of Law at the Rutgers School of Law-Camden. Bosniak teaches courses in constitutional law and theory, immigration law, citizenship law, and antidiscrimination law. She is a leading expert on issues of immigration, citizenship, nationalism and transnationalism, and constitutional equality, and has published extensively in these areas. Her book, “The Citizen and the Alien: Dilemmas of Contemporary Membership” (Princeton University Press, 2006) has been widely read and reviewed.



Joseph Carens: Joseph Carens is Professor of Political Science at the University of Toronto. He is the author of “The Ethics of Immigration” (Oxford, 2013), his widely anticipated book synthesizing a lifetime of work on normative issues of transnational migration, citizenship, and democracy. His book “Culture, Citizenship, and Community: A Contextual Exploration of Justice as Evenhandedness” (Oxford, 2000) won the 2002 C. B. Macpherson Award from the Canadian Political Science Association for the

best book published in political theory in the previous two years. Carens has also won the Bora Laskin National Fellowship in Human Rights Research (2001), a Connaught Fellowship from the University of Toronto, fellowships from the Institute for Advanced Studies in Princeton and from the Rockefeller Foundation and two individual SSHRC research grants. Carens' research focuses on questions about justice, equality, and freedom in democratic communities. He is particularly interested in the normative issues raised by the movement of people across state borders and by ethnic and cultural diversity in all its forms.



Cybelle Fox: Cybelle Fox is an associate professor of sociology at the University of California-Berkeley. Her main research interests include race and ethnic relations, the American welfare state, immigration, historical sociology, and political sociology. Her most recent book, "Three Worlds of Relief" (Princeton University Press, 2012), compares the incorporation of blacks, Mexicans, and European immigrants in the American welfare system from the Progressive Era to the New Deal. Fox won six book awards for "Three

Worlds of Relief," including the 2012 C. Wright Mills Award from the Society for the Study of Social Problems. Her next book project focuses on the rise of citizenship and legal status restrictions in American social welfare policy from the New Deal to the present.



Reyna Grande: Reyna Grande is an award-winning novelist and memoirist. She has received an American Book Award, the El Premio Aztlán Literary Award, and the Latino Book Award. In 2012, she was a finalist for the prestigious National Book Critics Circle Awards. Her works have been published internationally in countries such as Norway and South Korea. Her novels, "Across a Hundred Mountains," (Atria, 2006) and "Dancing with Butterflies" (Washington Square Press, 2009) were

published to critical acclaim and have been read widely in schools across the country. Her latest book, "The Distance Between Us," was published in August 2012 by Atria Books, an imprint of Simon & Schuster. In this memoir, Grande writes about her life before and after illegally immigrating from Mexico to the United States. A National Book Circle Critics Award finalist, The Distance Between Us is an inspirational coming-of-age story about the pursuit of a better life. The Los Angeles Times hailed it as "the Angela's Ashes of the modern Mexican immigrant experience."



Félix Gutiérrez: Félix Gutiérrez is a professor emeritus of journalism and communication in the Annenberg School for Communication & Journalism and a professor emeritus of American studies and ethnicity in the Dana and David Dornsife College of Letters, Arts and Sciences at the University of Southern California. He is the 2011 recipient of the Lionel C. Barrow Jr. Award for Distinguished Achievement in Diversity Research and Education by the Association for Education in Journalism and Mass Communication. His scholarship and

publications since 1972 have focused on racial diversity and media. He is author or co-author of five books and more than 50 scholarly articles or book chapters, most on racial or technological diversity in media. His most recent co-authored book, "Racism, Sexism, and the Media: The Rise of Class Communication in Multicultural America," was awarded the Society of Professional Journalists Sigma Delta Chi Award for Excellence in Research About Journalism in 2004.



Lucas Guttentag is currently on leave from teaching to serve in the Obama administration as Senior Counselor to the Director of U.S. Citizenship and Immigration Services (USCIS) in the Department of Homeland Security. Recently he also began serving as a senior counselor to the Secretary of Homeland Security, Jeh Johnson. In these capacities, he advises on a range of immigration policy and legal issues, including the President's executive actions announced in November 2014. Guttentag is on the faculty of Stanford Law School, where he is

Professor of the Practice, and teaches at Yale Law School, where he is Robina Foundation Distinguished Senior Fellow in Residence.

Guttentag is the founder and former national director of the Immigrants' Rights Project of the American Civil Liberties Union Foundation. Under his leadership from 1985 to 2011, the Immigrants' Rights Project (IRP) became the premiere litigation program in the country dedicated to enforcing the civil and constitutional rights of non-citizens. He litigated many complex civil rights, class action, and constitutional cases in courts throughout the United States, including in the United States Supreme Court, where he successfully argued the landmark *INS v. St. Cyr* case, which preserved judicial review for immigrants facing deportation. He was also one of the lead counsel in *American Baptist Churches v. Thornburgh*, which helped reform the U.S. asylum system and protected a nationwide

class of nearly 450,000 Salvadoran and Guatemalan refugees. He has received many awards for his litigation and leadership from national and community-based groups, and was named a human rights “hero” by the ABA Human Rights journal.



Margaret Hu: Margaret Hu is an assistant professor of law at Washington and Lee University School of Law. Her research interests include the intersection of immigration policy, national security, cybersurveillance, and civil rights. Previously, she served as senior policy advisor for the White House Initiative on Asian Americans and Pacific Islanders, and also served as special policy counsel in the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), Civil Rights Division, U.S. Department of Justice, in Washington,

D.C. As special policy counsel, Hu managed a team of attorneys and investigators in the enforcement of the anti-discrimination provisions of the Immigration and Nationality Act (INA), and was responsible for federal immigration policy review and coordination for OSC. She clerked for Judge Rosemary Barkett on U.S. Court of Appeals for the Eleventh Circuit, and subsequently joined the U.S. Department of Justice through Attorney General’s Honors Program under Attorney General Janet Reno.



David Martin: David Martin is the Warner-Booker Distinguished Professor of International Law at the University of Virginia School of Law. A leading scholar in immigration, constitutional law and international law, Martin has helped shape immigration and refugee policy while serving in several key U.S. government posts. As principal deputy general counsel of the Department of Homeland Security from January 2009 to December 2010, and in earlier government service at the Department of State and the Department of Justice

(including an appointment as general counsel to the Immigration and Naturalization Service, 1995-98), Martin was closely involved in critical legal and policy developments in the immigration field. He also served as DHS’ representative on the interdepartmental task forces created by President Obama’s executive orders for evaluating the cases of all detainees at Guantánamo, and for reviewing overall detention policies in the battle against terrorism.



Sarah Song: Sarah Song is a professor of law and associate professor of political science at the University of California-Berkeley. She is a political theorist with a special interest in democratic theory and issues of citizenship, migration, culture, religion, gender, and race. She teaches courses in contemporary political and legal philosophy, the history of American political thought, and citizenship and immigration law. Her first book, “Justice, Gender, and the Politics of Multiculturalism” (Cambridge University Press, 2007), analyzes

theories of group rights for religious and cultural minorities and their intersection with women’s rights through a range of case studies in American law and politics. The book was awarded the 2008 Ralph Bunche Award by the American Political Science Association. More recently she has written articles on the question of boundaries in democratic theory, the rights of noncitizens in liberal democratic societies, and the normative foundations of the modern state’s right to control immigration. She is currently working on a book entitled “Immigration and the Limits of Democracy.”



Shelley Wilcox: Shelley Wilcox is a professor of philosophy at San Francisco State University. Her current research lies at the intersections of social and political philosophy, applied ethics, and feminist philosophy, with a special interest in immigration, global justice, and urban environmental ethics. Recent publications include “Immigration and Borders,” (Bloomsbury Companion to Political Philosophy, 2015), “Feminist Perspectives on Globalization” (The Stanford Encyclopedia of Philosophy, 2014), and “Do Duties to Outsiders

Entail Open Borders: A Response to Wellman” (Philosophical Studies, 2014). She is currently writing a series of articles on immigration justice and a book manuscript on urban environmental ethics.

2015-2016 Mudd Theme

The 2015-2016 Mudd Center Theme is “The Ethics of Citizenship.” This theme has a double meaning, insofar as we aim to investigate both the ethics of conferring or withholding citizenship status as well as the ethical rights and responsibilities that attach to those who are granted such a status. Some questions we will ask include the following: Should our central understanding of citizenship remain state-based, or should we adopt more global or cosmopolitan conceptions of citizenship? How should liberal democratic states determine who is to be included in the political community? What are the virtues that define, or ought to define, the good citizen? What are the fundamental rights and responsibilities that attach to citizenship? What role, if any, should educational institutions play in cultivating ideals of citizenship? When, if ever, are citizens morally justified in engaging in civil disobedience or governmental whistleblowing? May citizens in a liberal democracy justifiably appeal to religious arguments in debates over public policy? The main goal of this year-long interdisciplinary investigation is to explore these complex ethical questions about the nature and value of citizenship.

Mudd Center Mission Statement

The Roger Mudd Center for Ethics is committed to fostering serious inquiry into, and thoughtful conversation about, important ethical issues in public and professional life. It seeks to advance dialogue, teaching, and research about these issues among students, faculty, and staff across all three schools – the College, the Williams School, and the School of Law. By facilitating collaboration across traditional institutional boundaries, the Center aims to encourage a multidisciplinary perspective on ethics informed by both theory and practice. Its ultimate goal is to provide the tools and resources necessary for thinking freely, critically, and humanely about the complex ethical questions we face in an increasingly diverse yet interdependent world.

Roger Mudd Biography

Roger Mudd is a 1950 graduate of W&L, where he majored in history. He received a master's degree, also in history, from the University of North Carolina at Chapel Hill in 1953. He began his journalism career in Richmond, Virginia, as a reporter for the Richmond News Leader newspaper and for WRNL, a local radio station. He moved to Washington in the late 1950s and worked at WTOP News before joining the Washington bureau of CBS News in 1961.

Between 1961 and 1992, he served as a Washington correspondent for CBS News, NBC News and the "MacNeil/Lehrer Newshour" on PBS. He won the George Foster Peabody award for two CBS programs, "The Selling of the Pentagon" in 1970 and "Teddy," a famous interview with Sen. Edward M. Kennedy, in 1979. He has also won the Joan S. Barone Award for Distinguished Washington Reporting, in 1990, and five Emmy Awards.

Mudd published his memoir, "The Place to Be: Washington, CBS, and the Glory Days of Television News," in 2008. Between 1992 and 1996, he was a visiting professor of politics and the press at Princeton University and at Washington and Lee University.

He is a member of the advisory committee for W&L's department of journalism and mass communications. He serves on the board of the Virginia Foundation for Independent Colleges (VFIC) and helped establish that organization's Ethics Bowl, an annual competition in which teams of students from Virginia's private colleges and universities debate ethical issues. He is also on the board of the National Portrait Gallery and on the advisory boards of the Eudora Welty Foundation and the Jepson School of Leadership at the University of Richmond. In 2010, Mudd donated his papers to Washington and Lee's Leyburn Library. That gift followed his 2006 donation of his collection of 20th-century Southern fiction. He was awarded the University's Washington Award in 2011, in recognition of his distinguished leadership and service to the nation and extraordinary acts of philanthropy in support of W&L and other institutions.

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