A well-crafted casebook

*Aleinikoff & Martin’s Immigration: Process and Policy*

Immigration: Process and Policy, by T. Alexander Aleinikoff of the U-M and Professor David A. Martin of the University of Virginia Law School, recently received an award from the American Society of International Law for its high technical craftsmanship and its high utility to practicing lawyers and scholars. The awards committee stated, "As a vehicle for teaching immigration law, this casebook succeeds admirably not only at bringing some common sense clarity to a welter of technical complexity, but also at calling insightful attention to a heretofore much too neglected area of legal study that nevertheless impacts significantly upon people, institutions, and resources in everyday life.

The first widely used casebook on the subject, Immigration: Process and Policy (West Publishing Company, 1985) evolved out of teaching materials that Aleinikoff and Martin developed for their respective courses on immigration. Both authors entered the academic world after several years in government service in the early 1980s, Aleinikoff in the Justice Department, Martin in the State Department. The Cuban boatlift of 1980 brought them together, along with dozens of others from their departments to try to cope with that chaotic migration. That crisis, as well as other unprecedented immigration situations, convinced the authors of the subject’s fascinations and of the need for careful and balanced study of long-term policy options.

In the book, Aleinikoff and Martin have sought to make the reader aware of the broader dimensions of the subject, without ignoring the nuts-and-bolts foundation that a budding practitioner in the field would find necessary.

The authors have also consciously tried to avoid the polarities that often beset the field. They note in their preface, "It is easy to develop sympathy for the individual alien involved in a particular case, and to strive to mold the legal doctrine to bring about a warm-hearted result for that person. Too many law review notes, and often judges as well, succumb to this temptation, neglecting to take adequate account of the long-term implications for an immigration system that must cope with millions of applications each year."

Without suggesting that the system should always prevail over warm-heartedness, Aleinikoff and Martin try to keep the reader aware of the larger perspective. The student is often asked to approach particular problems from different positions, for example, that of the commissioner of Immigration and Naturalization, the attorney general, or the Judiciary Committee of the House or Senate.

The emphasis of the book, however, is on theory and principles, not on practical applications. While the book gives helpful references throughout to those who want to know “how to,” its real target is those who want to know “why” and “why not.”

Excerpts follow from a book review in the *Michigan Law Review*, vol. 84.4, by Lynda Zengerle, J.D. ’71, chairperson of the Committee on Immigration, Naturalization, and Aliens of the ABA Section of Administrative Law.

"The publication of this book makes me wish that I could return to the classroom and engage in the debate that the authors so clearly wish to provoke."

"By providing a framework of intellectual debate founded on insightful analysis of cases and statistics, as well as a careful selection of informative and well-written articles, the authors have made an important contribution to a potentially more reasoned and less reactive immigration bar. By encouraging students to think about the complex issues of admission to or exclusion from the United States and the ramifications of granting or withholding U.S. citizenship, Aleinikoff and Martin will also have produced a quantum leap in the number of well-informed citizens whose views could ultimately lead to the adoption of better immigration policy."
Law schools have long had the potential within their faculties to elevate the profession's understanding of immigration law and to attract students to a subject too-long dismissed as robotic and unimportant. With the publication of *Immigration: Process and Policy*, the tool to realize that potential is at hand.

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**Ask John Jackson**

*He has the answers on international trade law*

by George White

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Editor's note: the following article appeared in the Detroit Free Press business section earlier this year. It is reprinted in edited form with permission of the Free Press.

When the phone rings in John Jackson's campus office, there's always a chance the White House is calling.

Then, again, it might be the U.S. State Department, the Treasury Department, the Department of Commerce, or a United Nations agency.

Jackson gets a lot of calls from Washington and around the world because of his expertise on international trade law. He's been considered for White House trade posts by the Johnson, Nixon, and Carter administrations. But Jackson, a 53-year-old lawyer, prefers to teach international trade law at the University of Michigan Law School—a post he has held since 1966.

Jackson's interest in international trade law developed at the University of California at Berkeley in the early 1960s.

"I decided that I liked the idea of teaching when I was a student in law school (at the U-M)," said Jackson. "Teaching gives me a chance to pursue my intellectual curiosities—not just the problem-solving that a client would pay for. It's a way to contribute to knowledge and policy."

Jackson, a native of Kansas City, MO, has made contributions to both. One of his books—*World Trade and the Law of GATT*—is the world's most respected treatise on trade law, said Gary Holmes, a White House aide in the U.S. Trade Representative's office. "It's a prized possession in our...office," Holmes said. "They call it the bible of international trade law."

When a technical question arises at a GATT (General Agreement on Tariff and Trade) gathering, the institution's members—delegates from the nations who observe and make international trade law—often seek answers in Jackson's book, said Michael Aho, another foreign trade expert.

Aho and Jackson advised the Senate Finance Committee on trade issues in November—for Jackson, the most recent of about a dozen Congressional appearances on legal trade issues. Aho, a senior economist at the New York City-based Council on Foreign Relations, said Jackson is renowned for his understanding of international trade law.

"John is one of a handful who have been most influential in studying and commenting on the international trading system," said Aho, a former legislative aide to New Jersey Sen. Bill Bradley, one of the Senate's trade experts. "He could do well working in other forums—like government or GATT—he's very esteemed."

Jackson is on the steering committee of the council's International Trade Project, an effort designed to identify and examine the world's most important international trade issues. He is also analyzing past U.S. trade negotiations and future negotiating options. The project, financed with a Ford Foundation grant, is being directed by Robert Stern, a U-M economics professor.

"He (Jackson) has a profound understanding of the background and the heart of issues," Stern said. "He has a very incisive mind which enables him to articulate essential points verbally and in writing. He's always filled with