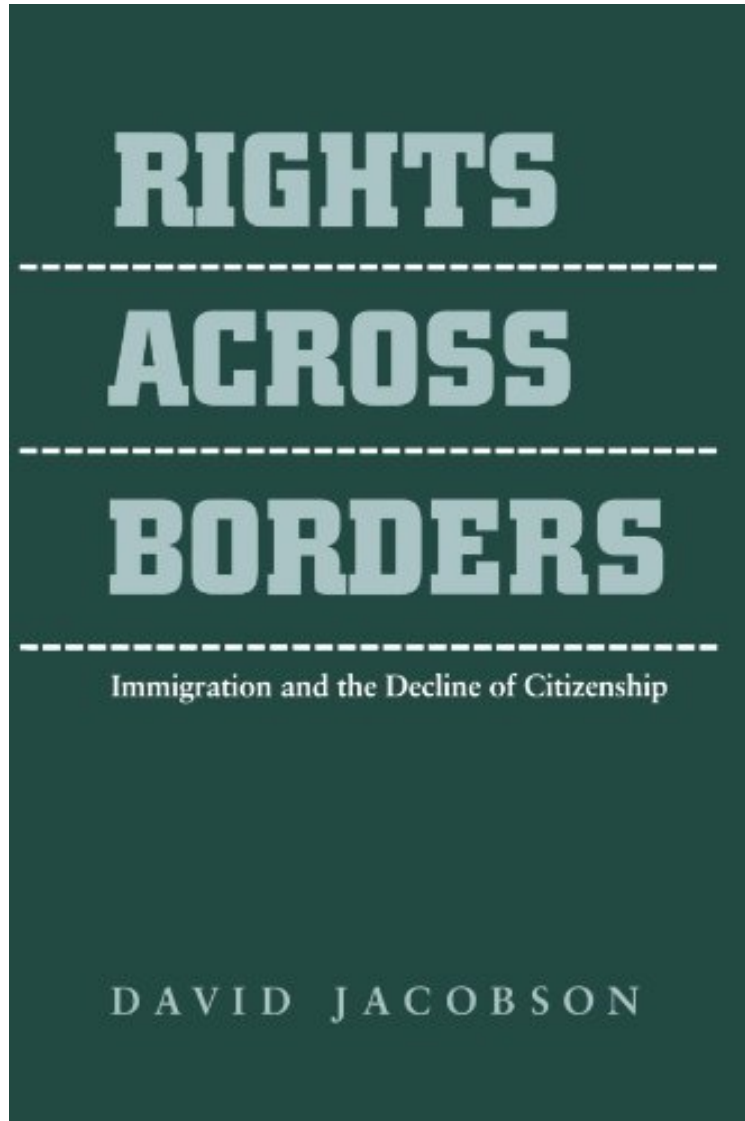


(Read free) Rights Across Borders: Immigration and the Decline of Citizenship

Rights Across Borders: Immigration and the Decline of Citizenship

David Jacobson

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David Jacobson : Rights Across Borders: Immigration and the Decline of Citizenship before purchasing it in order to gage whether or not it would be worth my time, and all praised Rights Across Borders: Immigration and the Decline of Citizenship:

0 of 0 people found the following review helpful. Helped This Reader Better Understand Competing Views--and the Stakes--Concerning Long-Term Trends on ImmigrationBy AmericanDreamerI found this 1997 book most helpful, and prescient, and believe it can similarly help those who want to better understand the volatility of U.S. public opinion and political dynamics resulting in part from immigration trends and policies going back, Jacobson shows us, at least

to the 1970s. At 138 pages it is short. It is not what I would call a breezy read. But I believe it will be experienced as entirely accessible by readers who follow public affairs to at least some degree. Jacobson's main point is that immigration trends, including major upticks in immigration to the U.S., both legal and illegal, beginning in the 1970s and 1980s, is recasting views about the importance, or lack thereof, of citizenship. Historically, rights were established primarily by nation states. Whether or not residents within a country had rights, and how meaningful or not in practice they were, depended more or less entirely upon conditions within their country of residence. The U.S. Constitution, notably, includes many protections which apply to "persons"--not citizens only. I would venture to say many who live in the U.S. do not realize this. Full membership, with rights, in the national community, and citizenship, or at least a legal presence and pursuit of citizenship for immigrants who have not yet naturalized, still tend to be more or less equated in the minds of many. When the volume of illegal immigration to the U.S., unlike in recent years, was relatively small, immigration debates were turbulent to be sure. But they did not invoke the basic meaning of citizenship, and membership in political communities, the way this has come into play in the U.S. in recent years. The debates were about how many, and who, would be legally permitted to enter the country. They periodically roiled our politics. But because the volume of illegally present immigrants was lower than today, the volatility and understandably high sensitivity concerning the possibility, reality, appropriateness and justifications for deportation was less--or perhaps just less visible--than it is today. So long as the U.S. government visibly remains unable to control entry into and out of the country, policymakers are able only to respond to the reality of substantial numbers of illegally present immigrants in one of two ways. They can up the intensity of efforts to locate and deport illegal immigrants. Or they can reduce the intensity of such efforts and respect court decisions and constitutional provisions which provide and over time have expanded legal protections to all resident persons, no matter whether they entered the country legally or not. Often, governments have done some of both. Or different levels of government have pursued different and sometimes contradictory approaches. It should be evident why many Americans who do not rely on or benefit from employing highly vulnerable and easily exploited illegal immigrants, or who are not personally impacted by the ease or difficulty of their and family members' ability to enter and leave the country at will, would at a minimum be left scratching their heads on witnessing these developments. The tension between continued illegal entry into the country by many along with granting many rights to illegal immigrants, versus respect for the laws of the country and concern over how practically to govern a republic with many present illegally who are not eligible to vote, are subject to deportation at any time, and are not and in most cases never will become citizens, has only increased in recent years. Jacobson's book (I found Linda Bozniak's 2008 book *The Citizen and the Alien* also helpful) is excellent at developing this point and also at articulating the tension between respect for individual human rights set forth in international documents, whether a host government adheres to such norms or not, versus respect for national sovereignty and the historical right of national self-determination as to who in the society is a member and who is not. The latter has a long tradition of being perceived as a big deal among those who value and support republican forms of government, where membership implies responsibility to participate and the desirability of participation by citizens, in social decisionmaking, as well as protected rights and liberties. (This distinction has been central as between small "r" republican and communitarian-inflected views of normative political theory on the one hand, and classically liberal views on the other hand.) Human rights were given great impetus in the post-World War II period when the UN Declaration of Human Rights launched a period of country-by-country agreement to many human rights protocols and commitments. Over time, as Jacobson shows, there has been an expansion of ways in which individuals can lodge claims of human rights violations, going over the heads of their host governments in a sense, and in ways that the historical nation-state system did not permit, with many obvious and frequent injustices the result. It should not be difficult to understand why migration dynamics, and the governing conundrums that have accompanied them increasingly over the past 40-50 years, have become such a flashpoint for intense feelings and activism on multiple sides of these issues. Jacobson's dated but still highly relevant book does a service in helping explain and understand the volatile politics we witness today. Needless to say, I think it is too simple and not entirely accurate to charge all critics of the extent of illegal immigration with simple nativism, although that clearly is a very ugly and very important part of this story. The argument of Jacobson's book, taken with developments since its writing, raises the question: can one be a supporter of active citizenship and small "r" republican government, and a strong proponent of human rights, when it comes to the United States in 2017? I find that a powerful question indeed because many of us like to think of ourselves as sympathetic to both of these sets of values. Immigration dynamics are hardly the only cause of such volatility. The plight of the middle class in developed countries, which has experienced deteriorating living standards and basic economic security, resulting in large part due to predominant modes of economic globalization, when taken together with immigration dynamics, has proven to be a highly combustible mix, with no light yet evident at the end of the tunnel, on either of these issues.

In *Rights across Borders*, political sociologist David Jacobson argues that transnational migrations have affected ideas of citizenship and the state since World War II. Jacobson shows how citizenship has been increasingly devalued as governments extend rights to foreign populations and how, in turn, international human rights law has overshadowed

traditional definitions of sovereignty. Examining illegal immigration in the United States and migrant and foreign populations in Western Europe, with a special focus on Germany and France, Jacobson shows how the differing political cultures of these countries—the ethnic basis of citizenship in Germany versus its political basis in the United States, for instance—have shaped both domestic and international politics.

"This short book is broad in scope, arguing for the existence of a 'paradigmatic shift' from nation-state sovereignty to the prevalence of international human rights norms in the 'Euro-Atlantic core.'" (Susanne Schmeidl and Sarah Wayland *International Migration*) "[Jacobson] develops a powerful case for the proposition that 'transnational migration is steadily eroding the traditional basis of nation-state membership, namely citizenship,' a phenomenon accompanied by a rise in the importance of international or 'universal' human rights." (Martin O. Heisler *Annals of the American Academy of Political and Social Science*) "This short but well-written book addresses a neglected aspect of the contemporary decline of the nation-state. It studies in depth the criteria by which France, Germany, and the United States distinguish between citizen and alien, from the political-territorial definition of the French to the ethno-cultural one of the Germans." (Francis Fukuyama *Foreign Affairs*) "Jacobson challenges scholars to rethink their views of the state. Current theories of political sociology and international relations are rooted in conceptions that, he feels, are losing their relevance and bite... A thought-provoking book." (Lawrence M. Friedman *Law and Politics Book*) "Few people discussing national and cultural identity or citizenship have looked at the legal ramifications of immigration. David Jacobson fills this gap in his important book." (Jeff Spinner-Halev *American Political Science*) "A compelling explanation of the intersection between transnational migration and human rights norms. It will be of interest to scholars of both international migration and human rights as well as a general reading audience interested in questions regarding immigration and citizenship" (Debra DeLaet *Perspectives on Political Science*) About the Author David Jacobson is a professor of Sociology at Arizona State University.