

Tuesday, February 12, 2008

## People are humans, not aliens, Part II.

Cesar Chavez: A champion for the empowerment of workers and immigrants. In May 2007, I decried the continuing and widespread use of the terms "illegal aliens" and "illegals". After a fellow criminal defense listserv member disagreed with my view against using the term "illegal aliens" (he apparently does not say "illegals"), I decided to see the extent to which statutes and regulations use the phrase "illegal alien," and was saddened to learn how frequently it is used, including in the following instances: A - A federal statute provides for reimbursing states for incarcerating "illegal aliens" after conviction for a felony. 8 USCS § 1365(a). A - A federal statute requiring the Attorney General to report to the House and Senate Judiciary Committees the numbers of "illegal aliens" convicted of felonies and incarcerated for felonies, and to provide a plan for removing and barring such people from the United States. 8 USCS §1366. A - The Labor Department's migrant worker regulations define "illegal alien" as "any person who is not lawfully admitted for permanent residence in the United States or who has not been authorized by the Attorney General to accept employment in the United States." 29 CFR 500.20(n). A - Virginia law prohibits "illegal aliens" from working in gun stores. Va. Code § 18.2-308.2:3(B). The phrases "illegal aliens" and "illegals" serve to dehumanize people; I do not want them used in my name by the government nor by government officials and employees. Jon Katz.

Posted by Jon Katz in Jon's news & views at 19:00

If not illegal aliens, then what would your preferred term be?

Alien is the term applied to all citizens of another country who live in the United States. Illegal alien is logically the term applied to people who are living here illegally.

Undocumented worker is a term that I've often heard, but this term obfuscates the reality which is that the person in question resides in the country illegally. Undocumented carries with it the connotation of a paperwork error that could be corrected, rather than a legal determination of whether a person is entitled to live and work in the US.

Note, I'm not defending our immigration laws. They are confusing at best, do not display the virtue of mercy (making them in my mind unjust as justice must always make allowance for mercy in order for justice to remain just - hence the need for judicial discretion), and admit far too few people.

Your thoughts?

Anonymous on Feb 13 2008, 07:27

Thanks, Adrian, for commenting.

The best I can answer your question is with my earlier posting on the topic at <http://markskatz.com/justiceblog/archives/486-People-are-humans,-not-aliens..html> . Ciao for now. Jon  
Anonymous on Feb 13 2008, 18:09