

# CALIFORNIA WESTERN INTERNATIONAL LAW JOURNAL

VOLUME 13

WINTER 1983

NUMBER 1

## CONTENTS

### ARTICLES

The Reagan Administration Proposals on  
Immigration: The Problem of the  
Undocumented Alien in the United States

*Paul Lansing*

*Javier Alabart* .....

1

This Article examines the recent proposals set forth by the Reagan Administration which attempt to alleviate the United States' growing illegal alien population. The authors analyze the recent proposals against the historical development of immigration law within both the United States and Germany. The current problems which have evolved within the United States as a result of the illegal alien population are addressed. In order to provide a thorough analysis, the relationship between the United States and Mexico is explored. Upon examining the various components of the Administration's proposals, the authors conclude that they are inadequate as an effective remedy to the complexities of illegal immigration.

Article III, Section 2, Exceptions Clause  
Canadian Constitutional Parallels: Canada  
Teaches the United States an American  
History Lesson

*George Steven Swan* .....

37

Congress has recently considered implementing restrictions on the jurisdiction of the federal judiciary, including the Supreme Court, under the Exceptions Clause of Article III, section 2. The author illustrates that many legal critics have expressed misgivings concerning the utilization of the Exceptions Clause because they believe a checkerboard constitution may result. It is then shown that a similar prospect for a Canadian checkerboard constitution occurred through 1981 and 1982. This Canadian experience is measured against the period of the framing of the United States Constitution to reveal that in both instances, the option of a checkerboard constitution was desired. As a result, the author concludes that Americans should not fear restrictions on the federal judiciary.

**COMMENTS**

**Internal Revenue Code Section 877:  
Expanded Purview Generates Discord in  
Taxation of the Tax-Motivated Expatriate**  
*Alice M. Ritter* ..... 58

**The Sun Sets on Tamuz 1: The Israeli Raid  
on Iraq's Nuclear Reactor**  
*Joanne E. Birnberg* ..... 86

**State Responsibility and Hazardous  
Products Exports: A Solution  
to an International Problem**  
*Gabriel M. Benrubi* ..... 116

**NOTE**

**Haig v. Agee: A Decisive Victory for  
Governmental Regulation of Americans  
in International Travel**  
*Dale R. McBride* ..... 144

**BOOK REVIEWS**

**Encyclopaedia of Banking Law**  
by P.J. Cresswell, W.J.L. Blair, G.J.S. Hill  
& P.R. Hill  
*Robert P. Cange* ..... 168

**United States Ratification of the Human  
Rights Treaties With or Without Reservations?**  
by Richard B. Lillich  
*John W. Williams* ..... 172

**BOOKS RECEIVED** ..... 175