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## INTRODUCTION

Immigration law is a broad and complex field. This diversity in the subject lends itself to treatment in symposium form, but at the same time creates its greatest problem because symposiums too often leave more things unsaid and undone than covered; and where breadth is achieved, sufficient depth to constitute persuasive legal authority is not attained. On the opposite end of the scale, if too much depth is presented, the limited area covered may be so esoteric and obscure as to lose all relevance.

At whatever level this symposium is judged as a publication form, we have in all cases attempted to steer away from these extremes, leaving the symposium open to the criticism of being deficient in all these areas. We fully realize that not all quarters can be satisfied in this type of endeavor, nor did we set out to accomplish that end. More importantly, we offer no pretense to presenting a balanced or objective symposium. To make such a claim would fail the real crucible of intellectual honesty.

Our editorial policy in shaping this symposium was to publish material with practical significance. Thus the emphasis was more in serving a problem solving function than in presenting mere intellectual discourses into the area. The student comments and three of the four articles published reflect this bias.

The article by Professor Asimow discusses a problem frequently encountered. The Immigration and Naturalization Service (INS) dispenses an enormous amount of information. Invariably some of this information is erroneous. May the Government change its position to the detriment of the individual who relied on this information? Professor Asimow discusses the application of the legal principles of equitable estoppel and apparent authority to this problem.

In the Rodino Bill article, Mr. Bonaparte analyzes that portion of the Bill that seeks to alter the current qualifying system for immigration to the United States. Mr. Bonaparte advances a recommendation that perhaps may ameliorate the potential harshness of the Bill as it is currently written. For the student who has struggled with the awkwardly structured Immigration and Nationality Act of 1952 and its amendments, the article contains a lucid and concise statement of the main substantive provisions of the Act.

The article by Mr. Aberson discusses the procedural aspects of preparing for a hearing before the INS within the context of information gathering. A survey of the statutory scheme aiding in information gathering is provided. Furthermore, in crucial areas, an analysis is given as to the relative efficacy of each information gathering method in relation to INS hearing practices. The unique feature of the article is its attempt to impart a sense for the peculiar standing of the INS among government agencies, explaining in part the INS' reputation for questionable agency practices.

The first student comment probes the application of an infrequently used writ to expunge an alien's criminal conviction in order to remove the impediment to his qualifying for lawful permanent resident status or prevent his deportation once that status is granted. The second student comment is equally explorative in its examination of the 1870 Civil Rights Act's scope in prohibiting discrimination in federal public employment based on alienage.

Lastly, the article by Mr. Cardenas discusses the social, political and economic basis for United States immigration policy toward Mexico. The inclusion of an historical work was dictated by the need to place the legal analysis in this symposium in a contextual framework. It was felt that it is not enough to state that courts and legislatures reach particular decisions because it is constitutionally permissible or represents a rationale determination or exercise of discretion. Such analysis merely mirrors the artificial constructs already given as the basis for the decision. More often than not the real basis lies in what goes unsaid. This is particularly true in immigration law, a statutory scheme that at once encompasses the highest aspirations of this country through the citizen it deems desirable, and at the same time manifests a rank baseness through its manipulation of aliens that is all but impossible to reconcile with stated purpose and ideal. Whether this analysis is accepted is less important than the insight it provides to the reading of the rest of the symposium.

In conclusion it would be appropriate to comment upon an issue that this symposium may shed light on. The United Farmworker's Union has for some time been reporting or turning into the INS undocumented aliens who are or may become field strike breakers. This Union policy has threatened to create an unbridgeable schism between Chicanos who support the farmworkers and Chicanos who work to ameliorate the undocumented aliens plight. A reading of this symposium may serve to bring Chicanos involved in this controversy to a more enlightened position on the matter.

Specifically, there is contained in this issue an obvious but often overlooked point: Chicanos are not making the important decisions that shape their lives, others are doing that for him. Short of radically reordering the political system or effecting a substantial transfer of wealth to Chicanos, the parameters within which Chicanos make decisions will remain extremely narrow. Chicanos therefore make decisions based to a much lesser degree on a choice of options; they are driven to decision based more on imperatives—be they moral, social, or more commonly physical. Given this fact, was the Farmworker's Union decision one that they wanted to adopt, or was it one that they had to adopt?

Whatever side of this question we as Chicanos take, the difference is not so great as to breach the bond created by the support both these groups of people, who are ultimately within our family, deserve.

David Arredondo