

EDUCATED AMERICAN MEN AND THEIR FOREIGN VIEWS: EXAMPLES FROM THE LAW, LAWMAKERS, AND LEARNERS

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I. INTRODUCTION

American men who examine the world through an alternate lens, discussed in this Paper, are not culturally offensive, yet are like assets in this country. They may be the type of individuals that rightfully merit encouragement, not pressure to assimilate. This Paper looks at examples of men sponsored by the highest seats of this country who have demonstrated an interest in other cultures affecting policies and procedure.

II. CULTURE CLASS

A. Immigration

The Fleuti Doctrine protecting lawful permanent residents (LPRs) avoiding being harmed when treated as seeking admission for casual, brief, and innocent

trips abroad, was followed by the enactment of Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which seriously impacted it. The IIRIRA altered the language referring to "entry" or "admission" and listed conditions under which LPRs must be denoted as seeking admission, including committing crimes listed in INA Section 212 (a) (2).¹ It was held² that IIRIRA Section 301 (a) (13) reworded a portion of the Fleuti Doctrine. When LPRs meet any of the six criteria under INA Section 101 (a) (13) (C)—such as committing certain crimes or staying abroad for over 180 days—they must be treated as seeking admission. This is without regard for whether the trip abroad was brief or casual.³

The case of *Rosenberg v. Fleuti* is an example in the context of IIRIRA of how the Fleuti Doctrine was applied.⁴ The Supreme Court's decision in *Fleuti* considered whether the wholly innocent intent of the departure weighed in favor of the immigrant and

¹ 8 USC § 1101, 1182, et seq.

² It is stated as The Board of Immigration Appeals (BIA).

³ U.S. Department of Justice, [doj.gov](https://www.doj.gov).

⁴ *Rosenberg v. Fleuti*, 374 U.S. 449 (1963).

whether factors, such as the purpose of the trip violated the residency. *Carbajal-Gonzalez v. Immigration & Naturalization Service*⁵ is about the winning party Carlos Alberto Carbajal-Gonzalez. He went to court at the Court of Appeals for the Fifth Circuit. Key statements are that the issue was deportation for smuggling aliens under 8 U.S.C. § 1251(a)(1)(E)(i). The case was the type that fell under immigration law.

The facts are that An Order to Show Cause was issued. The matter charged Carbajal-Gonzalez, who lacked documentation, with entry without inspection and smuggling aliens. Carbajal-Gonzalez and Rodriguez-Alvidrez walked across the border bridge without inspection. Border patrol arrested the two individuals on the United States' side.

Carbajal-Gonzalez, a lawful permanent resident of the U.S., traveled to Juarez, Mexico. While in Juarez, Mexico, Carbajal-Gonzalez and a companion, Rodriguez-Alvidrez, opted to purchase beer in the U.S. Carbajal-Gonzalez's wife taxied them to the Mexican

⁵ *Carbajal-Gonzalez v. Immigration & Naturalization Service*, 1996 WL 107238 (1996).

border, keeping and storing Carbajal-Gonzalez's immigration document. Rodriguez-Alvidrez, not a U.S. citizen, did not have documentation to enter the U.S. legally.

The key to the holdings are that because there was no “entry” under the Act, there was neither an 8 U.S.C. § 1251(a)(1)(B) entry without inspection nor smuggling pursuant to 8 U.S.C. § 1251(a)(1)(E)(i). Carbajal-Gonzalez did not “enter” the U.S. within the meaning of 8 U.S.C. § 1101(a)(13) because his departure was not intended to be meaningfully interruptive of his permanent residence, applying the Fleuti doctrine.

The legal reasoning the court reasoned was that the Board of Immigration Appeals failed to properly apply the Fleuti doctrine, which requires factors to be balanced to determine whether a resident alien's departure was intended to be meaningfully interruptive of his permanent residence.⁶ The court viewed in their totality that Carbajal-Gonzalez's actions did not

⁶ Carbajal-Gonzalez v. Immigration & Naturalization Service, 1996 WL 107238, 1996 U.S. App. LEXIS 5636, 78 F.3d 194 (1996).

demonstrate such an intent. The court distinguished where the alien had a fully intended to smuggle undocumented aliens, in the case of *Laredo-Miranda v. Immigration and Naturalization Service (INS)*.⁷ The court emphasized that Carbajal-Gonzalez's trip was brief and for a social purpose described below. The winning party believed his companion was a documented alien. Therefore, the court concluded that there was no “entry” under the Act. Thus, neither the charge of entry without inspection nor alien smuggling applied. The analysis outcome was that the Fifth Circuit vacated the deportation order and reversed the Board of Immigration Appeals' decision.

B. Background

The story documented in several forms presented details that were evaluated. The first detail is that the evening in question began with a cultural dance class in Mexico. The winner of the case went to the class held by the known proctor and then went for beer. The

⁷ *Laredo-Miranda v. Immigration and Naturalization Service (INS)*, 555 F.2d 1242 (5th Cir. 1977).

evening allegedly involved some disputes that were social in nature. The sobriety of the parties was discussed to examine their travel plans that included getting beer in the U.S. and some considerations for returning. The relevance to education is that it meets the legal standard for explaining why the parties may have left and tried to reenter.

III. BROTHERHOOD

Fraternities ask for members to be male. They are usually organized at universities. Students of either sex may know about the groups. The groups have private traditions and activities. The members may include guests and facilitators from either sex. This is done according to their traditions. Similarities with sororities, all-female, are that they are single-sex and devoted to friendship. The organizations of males sometimes socialize.

Group members often become leaders of all-male and mixed groups. For example, they may enter Congress. Reports about people attempting to interrupt single-sex activity by claiming legal violations, such as

discrimination, were addressed by Congress. Not only is same-sex fraternization legal, exclusion of non-members is also because that helps the groups. In that example, students were supported by legislators siding with all-male fraternity groups.

Reporter Adam Pack and the Senate provided numerous statements and interviews from key lawmakers about same-sex fraternities.⁸ They gave their support. Arizona Senator Ruben Gallego said that critics come from “small little niche groups.”⁹ Those are not as supported.

Jim Banks, a U.S. Senator for Indiana, presented legal language preventing restrictions against same-sex groups on campus.¹⁰ “Sec. 3 Freedom Of Association Protections For Students In Social Organizations” says in “Part B of title I of the Higher

⁸ Adam Pack, *EXCLUSIVE: Sens Unveil Bipartisan Bill To Save Greek Life*, THE DAILY CALLER (Apr. 01, 2025), <https://dailycaller.com/2025/04/01/exclusive-sens-unveil-bipartisan-bill-to-save-greek-life-from-wokeness-on-college-campuses/>.

⁹ *Id.*

¹⁰ Jim Banks, “Senators Banks and Gallego Introduce the Freedom of Association in Higher Education Act,” Senate.gov (Apr. 3, 2025), <https://www.banks.senate.gov/news/press-releases/senators-banks-and-gallego-introduce-the-freedom-of-association-in-higher-education-act/>.

Education Act of 1965 (20 U.S.C. 1011 et seq.)” that it “is amended by adding at the end the following:

‘SEC. 124. FREEDOM OF ASSOCIATION PROTECTIONS FOR STUDENTS IN SOCIAL ORGANIZATIONS.’¹¹ Number (b)(3) proposes a counter to

impose a recruitment restriction (including a recruitment restriction relating to the schedule for membership recruitment) on a single-sex social organization recognized by the institution, which is not imposed upon other student organizations by the institution, unless the organization (or a council of similar organizations) and the institution have entered into a mutually agreed-upon written agreement that allows the institution to impose such restriction.

The 119th Congress’ 1st Session considered an amendment to the Higher Education Act of 1965.¹²

Senators Banks and Gallego introduced the Freedom of Association in Higher Education Act to demonstrate protection for college students.¹³ They

¹¹ *Id.* Higher Education Act of 1965 (20 U.S.C. 1011 et seq.).

¹² Higher Education Act of 1965 (20 U.S.C. 1011 et seq.).

¹³ *See*, Banks, “Senators Banks and Gallego Introduce the Freedom of Association in Higher Education Act,” Senate.gov; Pack, *Sens Unveil Bipartisan Bill To Save Greek Life*, THE DAILY CALLER.

have the right to be members of single-sex social organizations, like fraternities and off-campus clubs, without school discrimination and fear of punishment.¹⁴ Senator Banks said “Students should be free to form and join single-sex organizations like fraternities.”¹⁵ Senator Gallego said “I cannot imagine my college experience without my fraternity brothers. As a first-generation student in a completely new environment, having a strong community to lean on was essential. I’m proud to support this bill to protect students’ access to Greek life, since no student should be penalized for finding a home away from home.”¹⁶

A man at Indiana State University honored the Senators and said a general truth:

Defending the association rights of students is essential to the success of the collegiate experience in the United States. Specifically concerning Greek lettered fraternities and sororities, it is necessary that college students have a choice concerning who they associate with, as each organization holds different values

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

that an individual may or may not align with. Joining My chapter (Pi Kappa Alpha) at Indiana State has taught me valuable life lessons that I could never learn in a lecture hall while also teaching me vital life skills such as time management, professional & leadership development and more. Had I never been given the opportunity to surround myself with like-minded men, my life would be vastly different.¹⁷

This was backed by Jud Horras, CEO of North American Interfraternity Conference.¹⁸ “The North American Interfraternity Conference commends Senators Banks and Gallego for their commitment to protecting students’ rights to association on college campuses. Their leadership ensures that college men can continue to shape their futures and foster communities that enrich their educational experience.”¹⁹ Like the man, it referred to admiration.²⁰ Dani Weatherford, CEO of National Panhellenic Conference added, “The National

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ See, Banks, “Senators Banks and Gallego Introduce the Freedom of Association in Higher Education Act,” Senate.gov; Pack, *Sens Unveil Bipartisan Bill To Save Greek Life*, THE DAILY CALLER.

²⁰ *Id.*

Panhellenic Conference (NPC) thanks Senator Jim Banks for his leadership in championing the freedom of association rights of students and organizations. The State of Indiana is home to a vibrant sorority community and his efforts to introduce legislation to address this important topic is very much appreciated.”²¹

The Freedom of Association in Higher Education Act adopts protection for federally funded colleges and universities that have the right to form or join social organizations, including single-sex social organizations.²² It prohibits discrimination at federally funded colleges and universities against single-sex social organizations or students.²³ Those seeking to join organizations because they are single-sex in nature are permitted without fear.²⁴ Protections extend to officially unrecognized groups.²⁵ Schools may take action, but not solely because a member is in a single-

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ See, Banks, “Senators Banks and Gallego Introduce the Freedom of Association in Higher Education Act,” Senate.gov; Pack, *Sens Unveil Bipartisan Bill To Save Greek Life*, THE DAILY CALLER.

sex fraternity or asks alumni and faculty for freedom to speak to the members on the topic of single-sex clubs and fraternities.²⁶

IV. ENGINEERING AND LEGAL TRAINING

When schools allow a worldview to be a standard then a man's education can be religious or not. Offerings to males can include material that is sectarian, areligious, or interdisciplinary. Compatible paradigms that are not religious enter a worldview. A religious worldview tends to be singular. Yet it too can benefit from scholastic depth and resources.

Learning environments provide faculty and students with freedom to question studies, limit data, be guided by evidence and facts, and receive discipline. For example, legal education may question the inclusion of and can allow religion.²⁷ Engineering education may promote and include technology. In

²⁶ *Id.*

²⁷ (e.g., More than young students dining on a field trip in the area accidentally exposed to colorful, therefore revolting, paper lunch sacks).

Virginia v. Lynn, the state supreme court discussed the role that religion is to play in learning environments funded by the state and federal governments. The court produced a decision about the extent of the belief in Jesus as the basis for a school in a case about bonds. It held in favor of the school that Pat Robertson founded, a religious school with a bar-accredited law school in Virginia Beach, Virginia, receiving funds even though it teaches that the trinity is three persons: father, son and holy ghost.²⁸

The U.S. Constitution and Article VIII, § 11 of the Constitution of Virginia state that aid is permitted to institutions “whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education.”²⁹ The opinion states at (V)(B), “Assessment of whether an

²⁸ *Virginia College Building Authority v. Barry Lynn*, No. 992099 (Sup. Ct. Va., Nov. 03, 2000); *Va. College Bldg. Auth. v. Lynn*, 260 Va. 608, 538 S.E.2d 682 (2000). The American Bar Association (ABA) accredited it and permitted licensure in 50 states finding no inhibition of the school’s academic freedom. The law school’s primary purpose is academic not divinity school. First year law students take Common Law, Contracts, Torts, Civil Procedure, Property, and Legal Research and Writing. Students in their second and third years can take First Amendment, legal philosophy, and religious law classes anywhere in the country (e.g., not a nearly lifeless fleur-de-lis crisis).

²⁹ Va. Const. art. VIII, § 11, Code § 23-30.41(e).

institution is pervasively sectarian requires consideration of ‘a general picture of the institution, composed of many elements.’”³⁰ Factors proposed by districts persuade the Virginia Supreme Court. In cases about sectarian institutions, the Court has listed: (1) formal affiliation with a church and institutional autonomy; (2) purposeful indoctrination and activities that exert dominating influence over the curriculum; (3) atmosphere of academic freedom; (4) classroom-prayer policy or religion in classroom instruction; (5) religious qualifications for employment, membership, or admission; and (6) population and the religious composition. An examination of the litigant under the Establishment Clause and Article I, § 16 of the Constitution of Virginia considers the primary purpose not just the School of Divinity for religious training or theological education. Therefore, a Judeo-Christian worldview does not violate the Constitution of Virginia or the Establishment Clause.

³⁰ *Lynn* citing *Roemer v. Bd. of Pub. Works*, 426 U.S. 736, 758, 96 S.Ct. 2337, 49 L.Ed.2d 179 (1976).

A worldview must be attained before a professional standard can be achieved. Stanford University is a private school that teaches engineering and has high-tech facilities. Stanford classrooms are designed to be high-tech a method used throughout the school.³¹ "Designed to help students expand their worldview and better evaluate their aptitude for engineering, it prioritized the creation of a new type of engineer: a highly skilled technical professional equally capable of managing, directing, and – perhaps most important – leading the innovation essential to the nation's economy."³² They have invested in classrooms, for example, they are "optimizing usage."³³ Stanford "created a co-teaching model that brought together faculty and practitioners in the same

³¹ They could design tech programs to turn them on for certain reasons or in stages.

³² Beth Jensen, "Business and Engineering Schools Mark Century of Shared Innovation," STANFORD REPORT (Dec. 10, 2025), www.news.stanford.edu/stories/2025/12/gsb-school-engineering-collaboration-century-innovation.

³³ "Learning Technologies & Spaces: Classrooms" <https://lts.stanford.edu/classrooms>; "Classrooms Reimagined Standards | Learning Technologies & Spaces," <https://lts.stanford.edu/scr-standards>.

classroom – many of whom had technology and engineering backgrounds themselves."³⁴ Classroom access and design are under Student Affairs to support students to learn, be comfortable and achieve careers.

V. CONCLUSION

This Conclusion asserts that men are interested in collective education. The deciding bodies of this land may note their behavior. They tend to reject judgments made against them. Their involvement in processes favor their intended outcomes. Usually they are born of the same.

³⁴ Beth Jensen, "Business and Engineering Schools Mark Century of Shared Innovation," STANFORD REPORT (Dec. 10, 2025), www.news.stanford.edu/stories/2025/12/gsb-school-engineering-collaboration-century-innovation.