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ARTICLES

Return of the Native? An Assessment of the Citizenship Renunciation Clause in Hamdi's Settlement Agreement in the Light of Citizenship Jurisprudence

Saad Gul.....131

The article examines the circumstances under which Yasser Hamdi, an American born detainee in the War on Terror, renounced his U.S. citizenship. The article analyzes Supreme Court jurisprudence on the loss of citizenship since Afroyim v. Rusk. Through the prism of the historically competing considerations of national security and sacrosanct nature of citizenship, it evaluates the conditions under which Hamdi undertook his action, and their effect on its legal validity. Given the factual background of the case, and the jurisprudential contours of past citizenship doctrine, it concludes that Hamdi can probably regain his citizenship should he ever seek to do so.

Rescue the Americans With Disabilities Act from Restrictive Interpretations: Alcoholism as an Illustration

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The article posits that judicial interpretations have virtually eliminated many impairments, such as alcoholism, from protection under the Americans with Disabilities Act, contrary to obvious Congressional intent. While this phenomenon is not limited to alcoholism, it is a useful illustration of the damage judicial activism has caused in this area. In enacting the ADA, Congress was particularly concerned about "stereotypic assumptions" that created myths and fears about disabled people. Alcoholics are often subjected to discrimination because of such assumptions and because they are not perceived as having a "real" illness. Moreover, Congress referred to alcoholism many times in the legislative history and included a specific reference to alcoholism in the statute. For these reasons, alcoholism illustrates the extreme difficulty of proving a disability under the current case law. Once employers discover that their employees with impairments, such as alcoholism, are no longer protected by the ADA, such employees may be terminated with impunity. The cost of this eventuality is high in economic, and especially, human, terms.

COMMENTS

Stepping In(come): Evaluating the Inherent Inconsistency of Illinois's Trend Toward Consideration of New Spouse Income in Child Support Modification

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This comment provides an in-depth examination of the case law that established Illinois's current trend toward consideration of new spouse income in cases of child support modification. The author reviews the traditional Illinois rule against consideration of such evidence and posits that Illinois should follow the lead of states like California and Texas to legislatively abolish new spouse income from a modifying court's consideration as a means of respecting the underlying principles of and returning internal consistency to the Illinois Marriage and Dissolution of Marriage Act.

Isolating Past Unfitness: The Obstacle of *In re Gwynne P.* for Incarcerated Parents in Illinois

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*This comment examines the termination of parental rights for incarcerated parents in Illinois through a discussion of the Illinois Supreme Court case, *In re Gwynne P.* The number of incarcerated mothers has dramatically increased over the past twenty years. Despite efforts to reform their lifestyles, many of these women will lose their parental rights solely because of past incarceration. According to the Illinois Adoption Act, a court can find a parent unfit if repeated incarceration has prevented the parent from discharging parental responsibilities. While incarceration often provides legitimate grounds for terminating parental rights, courts should address parental unfitness on a case-by-case basis and consider the impact on a parent's fundamental rights. This comment explores one mother's struggle to preserve her parental rights and argues that the court did not give sufficient weight to her reformed lifestyle and efforts to maintain a parent-child relationship.*