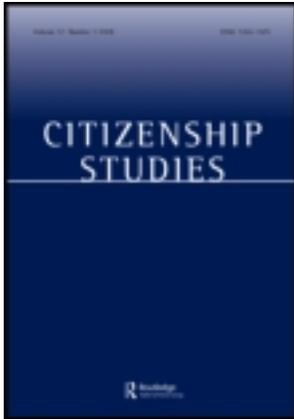


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Citizenship acts and immigrant voting rights movements in the US

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What happens to notions of national belonging in the US when non-citizen immigrants claim the right to vote at the local level for school boards and city councils? Is this a fundamental challenge to US citizenship norms, or an extension of the force of liberal discipline onto new citizen-subjects-in-formation? While academic literature has focused on historical, legal and normative ethical arguments about non-citizen voting, this article focuses on the vernaculars of citizenship discourses advocates and opponents invoke in order to win over local and state officials to their cause and how they both integrate and challenge official responses to their claims. Such attention to particularities is necessary to appreciate the ways in which citizenship practice is contingent on local political culture and history but also potentially transformative of larger institutions and discussions over national membership. Advocates put into practice arguments from the academic literature and borrowed through trans-local exchanges of information amongst advocates, tailored to suit local political culture and traditions. They simultaneously invoke and undermine notions of scales and levels of citizenship that would disaggregate local discourse from national politics and policies. Attention to the particular dynamics and challenges these actors face in their political work reveals both the utility and limitations of political theory for understanding the issue of non-citizen voting in the US as a particular example of citizenship as practice.

Keywords: US; immigration; voting; democracy

Qu'arrive-t-il aux notions d'appartenance nationale aux États-Unis quand des immigrants non-citoyens réclament le droit de vote au niveau local dans les écoles et les conseils municipaux? S'agit-il d'un défi fondamental aux normes de la citoyenneté étatsunienne, ou d'une extension de la force de discipline libérale sur de nouveaux citoyens en formation? Alors que la littérature académique s'est concentrée sur les arguments éthiques normatifs, légaux ou historiques quant au vote des non-citoyens, cet article se concentre sur les discours vernaculaires de citoyenneté invoqués par les avocats et les opposants à ce droit afin de convaincre les officiels locaux et de l'état, et sur la manière dont ils intègrent et remettent en cause les réactions officielles à leurs revendications. Une telle attention aux spécificités est nécessaire afin de saisir à quel point d'une part la pratique de la citoyenneté dépend de l'histoire et de la culture politique locales, et d'autre part peut potentiellement transformer les discussions et institutions de niveau supérieur quant à l'appartenance nationale. Les supporters de ce droit de vote ont mis en pratique des arguments issus de la littérature académique ou empruntés à des échanges trans-locaux d'informations, et remaniés pour s'inscrire dans les traditions et la culture politiques locales. Ils ont dans le même mouvement invoqué et remis en cause les notions d'échelles et de niveaux de citoyenneté qui distingueraient clairement discours local et politiques nationales. L'attention portée aux dynamiques et défis spécifiques auxquels sont confrontés ces acteurs dans leur travail politique permet

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de révéler tant l'utilité que les limites de la théorie politique pour comprendre la question du vote des non-citoyens aux États-Unis, comme exemple spécifique de la citoyenneté en pratique.

Mots clés: États-Unis; immigration; vote; démocratie

Citizenship acts and City Hall

On 5 May 2003, the dark-oak-trimmed and heavy-curtained chambers of the Cambridge City Council (Massachusetts) were filled with dozens of city residents including immigrants from Africa, the Middle East, South Asia, Latin America, the Caribbean and Europe. School district employees, small business owners, taxi drivers, stay-home mothers, immigrant advocates, tenant leaders, community lawyers, perpetual progressive activists, and one anthropologist¹ attended the Monday evening meeting to show support for a proposal to grant all local residents the right to vote for the public School Committee. Individual speakers represented the major immigrant groups in the city and their economic and racial diversity. Even city councilors who disagreed with the measure listened attentively as speaker after speaker testified to the number of years they had been waiting to naturalize, what it felt like to be unable to vote for School Committee when their children were attending local public schools, and how they identified with Boston Tea Party activists in 1773 and their rallying cry of 'no taxation without representation'. In these testimonies, immigrant and non-immigrant city residents invoked the history of the practice of non-citizen voting. They also pointed to examples of the practice in other cities in the US and overseas, arguing that including all residents in local voting forms a new international norm of democratic practice.

At the end of the public testimony, there was discussion amongst the city councilors including declarations of admiration for and personal identification with immigrants in Cambridge. Most councilors alluded to the long-standing welcoming tradition of the town, and drew comparisons between the contributions of contemporary immigrants with their own ancestors from previous waves of European migration. They all voiced their 'deepest respect' for the immigrant Cantabridgians who presented the petition, and assured them that as elected officials, they always had the interests of all their constituents in mind, even when they were not part of the electorate. Some councilors expressed concern that the measure might be construed as 'purely symbolic' or inappropriate for a city to consider, since immigration is the purview of the federal government. Others explained their intention to vote against the measure due because they believed firmly that voting was a 'sacred right and obligation' reserved for citizens. In the words of one self-identified grandson of a naturalized Italian, expanding the electorate in this way 'cheapens citizenship' for everyone.²

As councilors spoke to the issue from their seats, there was a rapid passing to and fro of suggested language changes between councilors, advocates, and the measure's sponsor, as she sought to amend the proposal to garner more votes. Could the language about universal adult enfranchisement be changed to pay more respect to federal authority? The affirmative response produced additional phrases that in addition to proving residence in Cambridge, voting immigrants would swear to have made their presence 'known to the Immigration and Naturalization Service' (now Immigration Control and Enforcement, or ICE) and commit to naturalize as soon as they became eligible to do so.³ There was also an energetic and ultimately successful effort by the Central American woman leader of a local community agency to lobby the sole man-of-color on the Council on the basis of his

own identification with the civil rights movement, despite his well-known antipathy for the measure's key sponsor and his disapproval of how she had handled the bill-drafting process prior to the hearing. To the great surprise of community advocates, the amended language actually expanded the measure to include not just the School Committee but also the City Council, that is, to all local elected offices. In the words of one councilor, who volunteered this amendment, it was only consistent to apply the same principle to all local offices. In the end, a majority of the City Council voted to support the measure and send it to the state legislature as a Home Rule Petition to recognize the city's right to determine its own governance procedures.

This moment in the story of the Cambridge Campaign for Immigrant Voting Rights was an elaborate, ritualized, and well-coordinated performance that discursively placed non-citizen community members at the heart of city life and politics. It also claimed the place for this locality in global debates over the boundaries of the state, the meaning of sovereignty and the reconfiguring of citizenship. As I spent more time with activists who supported this issue in Massachusetts, New York, the District of Columbia and San Francisco between 2000 and 2005, I was struck by the particular rhetorical strategy at play where I lived in Cambridge, and the continued salience of local political culture to the quotidian practices of citizenship. While immigrant Cantabridgians argued that letting local homeowners, taxpayers, and parents vote was 'just the right thing to do', they also emphasized that non-citizen voting was 'legal' and a thoroughly *American* practice. They communicated informally with city and town groups similar to their own, but without promoting the formation of networks or formal alliances that might undermine their authenticity as a 'local', 'grassroots' effort. At the same time, local identity was deeply embedded in a shared regional history. Members of the Cambridge Immigrant Voting Rights Campaign mobilized New Englanders' sense of pride and ownership of the anti-colonial Revolution at the narrative heart of the national story. While allowing that immigration law was outside the purview of local or state governance, they also critiqued current naturalization policies that, depending on a person's nationality and visa status, can force them to wait up to 20 years to naturalize (Dalmia and Flynn 2008), with the average legal permanent resident waiting more than 10 years (Garcia-Bedolla 2006). Not only did this complex hailing of multiple identities and levels of governance defy the definition of a simply 'local' or 'community' level effort, but given the women and non-white people leading this particular struggle were never themselves subjects of American Revolutionary enfranchisement, how well would this strategy work? This article unpacks the story of one particular struggle for voting rights in order to appreciate the ways in which citizenship practice is contingent on 'local' political culture and history but also challenges larger institutions and discussions over national membership. Ultimately, the success of such local efforts lies in their ability to effect change locally, navigate the disciplinary forces of state as well as local politics, and enable greater criticism of the racialized and classed nature of current US immigration law and policy.

Voting and cultures of citizenship

In the US, and other nation-states as well, the ideal of citizenship associated with notions of individual, equal-rights-bearing political subjects coexists with pervasive social inequality and emergent social groups who must struggle to claim full membership as citizens (Hall and Held 1989). Some are excluded from certain rights because they have committed crimes or, in an interesting juxtaposition of exclusions, are non-naturalized immigrants. Others face both formal and informal structures of inequality due to gender,

race, class, sexuality or disability that prevent the full exercise of their rights. A view of citizenship as a social process and struggle (Flores and Benmayor 1997, Isin 2000, Dagnino 2003) enables us to see how citizenship issues manifest in different cultural domains and how many citizen-subjects face formal and informal obstacles to belonging (Williams 1988, Coll 2010). Thinking about citizenship in terms of culture expands the realm of political struggle to include everyday practices and discourses (Rosaldo 1994) and social relations besides those between the individual and state (Dagnino 1994). Considering citizenship as a cultural domain also focuses attention on the grassroots processes of citizenship that we may be able to appreciate best at the level of the city (Varsanyi 2006).

Suffrage has been a key site for contesting inequalities in citizenship and political rights in the US. Due in part to this history of struggle, many Americans see their status as moral, law-abiding, and fully enfranchised citizens as defined in particular by the right, if not the 'duty', to vote. In the US, the vote stands for more than a formal type of political empowerment or agency, it confers what Judith Shklar calls 'a minimum social dignity' (1991, p. 2).⁴ From the abolition movement to the women's suffrage movements of the nineteenth century and the civil rights movement to end segregation in the twentieth century, the right to vote has meant so much to exclude classes of citizens that they were jailed, staged hunger strikes, and in some cases faced lynching in order to secure this legal right. However, in the past 40 years, US elections have failed to garner more than 60% participation by eligible voters.⁵ These statistics are often repeated in the US as a sign of a loss of faith in the political system. Controversies over the disenfranchisement of African American and other voters in the 2000 presidential elections fed a sense of crisis around electoral institutions and encouraged a plethora of ground-up political reforms from the local level, including reform efforts attempting to implement ranked-choice voting, Saturday/Sunday voting, same-day voter registration, the enfranchisement of 16 and 17 year olds, and so on. More recently, the US Supreme Court ruled in *Citizens United v. Federal Elections Commission*⁶ that while corporations do not have votes as such, they are considered persons for the purpose of their ability to make financial contributions to electoral campaigns, highlighting the perennial question of who exactly drives the electoral bus in the US. Since 2003, the media has paid more attention to electoral controversies and reform efforts in part due to the significant contradiction between such problems 'at home' and claims for authority to promote 'US-style democracy' abroad, especially in Iraq and Afghanistan.

In the midst of public discussions over the need for voting reform and to increase electoral participation, a new social formation emerged with multiple local groups advocating for the political incorporation of immigrant residents through local-level voting.⁷ From 2000 to 2005, I participated in and studied one such movement, made up of a small committee of activists, local officials and state legislators in Cambridge, Massachusetts. The Cambridge Immigrant Voting Rights Campaign grew out of early 1990s activism by Haitian organizers within the Eviction Free Zone tenants rights organization. Politicized by their long-distance participation in the Haitian democracy movement, Haitians in Cambridge become more politically active in local politics and also began to naturalize, when possible, in order to vote in the United States.⁸

While these activists and their allies were debating the proper role of diasporic Haitians in their nation of origin's future, they also began sharing copies of foundational scholarly articles on the history of and legal basis for non-citizen voting rights in the US (Rosberg 1977, Raskin 1993) and learning about the contemporary practice in other towns and states. They also noticed that local voting based on residency was becoming the norm

in nations that the US regards as its peer democracies, including, but not limited to, the European Union (Earnest 2006). A small network of cities and towns interested in the issue was developing as local activists mobilized the examples of other towns in support of their efforts to domesticate the idea as sensible, practical, and American, not radical or even pro-immigrant, amongst local voters and elected officials. By the time I joined their efforts in 2000, the campaign was being led by one paid organizer with a core of less than a dozen volunteers, was still housed at the Eviction Free Zone and received support from various local immigrant organizations and advocacy groups. Within 10 years of Cambridge activists' first efforts, the issue had also sparked interest in the academic literature, but remained completely off the radar in most US localities and political imaginaries (Chung 1996, Harper-Ho 2000, Kini 2005, Varsanyi 2005, Bedolla 2006, Hayduk 2006, Song 2009).

In what follows, I argue that in order to both understand more fully what it means to belong and feel politically part of the US, including the cultural power of the vote, we need to look to the activism of non-citizen immigrants and how they write themselves into the national political tradition in the course of local struggles for political rights. In doing so, I aim to respond to calls for further documentation of "citizenships" which challenge the status quo' without erasing the question of what these efforts mean for the immigrants of differing legal statuses, including the undocumented (Varsanyi 2006, p. 245). The goal is not to elevate the local aspect of citizenship, nor to argue that the city is a privileged site of citizenship in a transnational world. Instead, the point is to show how one group of local actors looked to history and contemporary practice in other countries, cities and towns, for discursive resources to support what otherwise seemed to be the very limited, local political goal of including non-citizens in School Committee and City Council elections.

This article is principally about the real challenges people face when they seek to contest official limits on citizenship through electoral and legislative processes. Ultimately, it is also about an ongoing process, rather than a resolved one, as the Cambridge effort, much like many others across the country, has not yet resulted in the actual legal enfranchisement of non-citizen voters. Through careful attention to everyday people's words and grassroots political mobilizations for social justice, we can appreciate not only the obstacles faced by people in their appeals for recognition to the local face of the state, but also how it is that some disenfranchised groups come to see themselves as bearers of rights and then call into question dominant ideas and institutions of citizenship. By attending to the specificities of place, discourse and meaning, and the dynamic nature of citizenship as a historical process, we can see the ways in which efforts to change notions of political belonging and rights are both inhibited by tradition, but also offer 'a light of possibility' for more robust and flourishing forms of citizenship (Varsanyi 2005, p. 131).

Belonging and the vote in the US

The relationship between citizenship, immigration, and the right to vote in the US is extremely fraught, and well documented, with many citizens excluded from voting, while certain kinds of immigrants were immediately enfranchised upon arrival (Rosberg 1977, Raskin 1993, Harper-Ho 2000, Kini 2005, Varsanyi 2005, Hayduk 2006, Song 2009). In the colonial United States, a voter had to be at least 21, white, male, with property, but not necessarily a US citizen. Non-citizens exercised the right to vote, and in some cases even held office, in as many as 40 US states between the 1770s and the end of World War I. For most of this period, non-citizen voting was seen as a means to train newcomer white men to be good citizens and prepare them to participate in national elections after

naturalization, as ‘Americans in waiting’ (Motomura 2006, in Song 2009, p. 612). In frontier states, it was also a way to lure new European immigrants to colonize Native lands as homesteaders, while diffusing pressure from women and African Americans seeking the franchise.

The rescinding of the right to vote for non-citizens happened slowly over time but corresponded to the rise of anti-immigrant sentiment and legislation that ultimately succeeded in naturalizing the conflation of alienage in US public discourses with not only legitimate disenfranchisement, but inherent illegality. With the consolidation of US control over the West in the late 1800s, the exclusion of Asian immigrants beginning with the Chinese in 1882, and the increase in immigration from South and Eastern Europe between the 1880s and the end of WWI, states one by one redefined their voting laws to require federal citizenship for voting at the state and local level (Hayduk 2006). The 1924 Johnson-Reed Act and related State Department administrative rules not only ended most immigration by Asians and descendants of African slaves, but severely restricted immigration from southern and eastern Europe and Africa, and therefore were responsible for the racialized regime of the ‘illegal alien’ (and the illegality of Mexicans in particular) as a naturalized social category in US society (Ngai 2004). After 1924, Arkansas was the last state to retain the alien franchise. That state subsequently rescinded it in 1926, ending non-citizen voting in the US after 150 years of the practice. It is in this context that we need to both appreciate the naturalization of the link between citizenship and the vote and understand the significant challenge that current non-citizen voting rights demands offer to deeply held US convictions about race, nationality, and citizenship as well. Today, non-citizen voting has effectively disappeared from national memory, explaining why the public narration of the history of non-citizen voting and its restriction became a central strategy for immigrant voting rights advocates in Massachusetts.

Cultural logics of citizenship

One of the most common strategies non-citizen voting rights advocates turned to in talking with policy-makers was the retelling of the historical narrative of the legality of immigrant voting. They invoked regional pride through references to New England’s history as the ‘Cradle of the American Revolution’ and home of the original ‘No Taxation Without Representation’ movement. In response to the need to convince local and state elected officials that non-citizen voting was not only legal but also eminently practical (a self-ascribed Yankee trait), immigrant voting advocates emphasized the practice as a quintessentially ‘American’ tradition. They impressed legislators with their superior knowledge of eighteenth- and nineteenth-century voting laws and citations from academic legal literature, which they presented in a legislative information packet for members of the Elections Laws Committee. One particularly evocative brief by public interest lawyers showed how even legal immigrants could be trapped in a disenfranchised status for up to 20 years depending on factors such as their nationality and quality of their initial visas (Brown 2000). Indeed voting rights advocates consistently deployed the example of legal long-term permanent resident aliens who would willingly naturalize, but who are kept from doing so by federal regulations. Advocates cited scholarship on how contemporary US immigration law unfairly distinguished amongst different immigrants, that there were dozens of ‘legal’ immigrant categories outside of the coveted Legal Permanent Resident status that offered naturalization after five years, and that such administrative rules impeded naturalization based on nationality and the quality of one’s initial immigration status.

By providing empirical examples from other countries where non-citizen voting is practiced, advocates also encouraged local- and state-level elected officials to see themselves as responsible for helping to keep US democracy 'in step' with emerging international norms of good governance. European examples piqued the most interest from elected officials, even though other places like New Zealand had more inclusive policies than Cambridge was considering. For example, because so many elected officials in Massachusetts rely upon their Irish American ancestry and ties for political support, activists soon learned that the Irish capital could be a potent example. In the words of one Cambridge city councilor, this information was most convincing because: 'If it's good enough for Dublin, then surely it's good enough for Cambridge, too.'

Cantabridgians' complex notions of place, identity, and political heritage mattered in the way they approached lobbying elected officials, but also in how they talked with neighbors about this campaign. Whereas voting and citizenship are usually configured as domains of the nation-state, immigrant voting advocates mobilized support by simultaneously localizing this particular citizenship struggle and also invoking the city's self-consciousness about its own globality. When local officials told them that immigration policy was determined by the national government, advocates replied that as the most proximate face of government, city officials were better able to respond quickly to correct inequities, 'while we work *together* to change the federal laws'. Advocates also invoked previous voting rights movements with which officials identified to argue that radical social change starts at the local level, 'through brave leadership', often by challenging unjust national laws. They reminded officials that the City of Cambridge had enfranchised women voters in 1879 for the purposes of local voting, a full 40 years before the 19th Amendment of the Constitution gave American women the right to vote. This worked well in a self-consciously progressive city like Cambridge, which though only having 100,000 people, saw itself as a model others might follow. Whether or not any other city saw Cambridge as such a model, it is the case that in addition to the early enfranchisement of women and the election of Black officials in the nineteenth century, Cambridge also enacted democratic electoral reforms such as instant runoff voting and this same City Council was pleased to be the first town to issue legal marriage licenses to same-sex couples in the nation, including to the sole lesbian member of the Council.

The importance of references to 'peer' advanced liberal states' practices of non-citizen voting and pride in local identity and progressive heritage, 'efficiency' and benefits for local economies and schools, raise the question of the relevance of critiques of neo-liberalism and governmentality to an analysis of this movement. Following Clarke (2008), I understand neo-liberalism as 'a political-cultural project' with hegemonic global goals but without the omnipresence (or omnipotence) often ascribed to it. This project values participation and responsibility on the part of its citizen-subjects primarily in the realms of labor and consumption, and indeed depoliticizes citizenship by reframing citizens as consumers first (Clarke *et al.* 2007, Clarke 2008). Participants on both sides of the immigrant voting campaign in Cambridge hailed this ideology in their frequent references to immigrants as economic contributors, consumers, parents of citizens, and taxpayers. With the news that the first US military casualties in Iraq and Afghanistan were non-citizen soldiers, advocates asked how such individuals could rightly be excluded from voting for local School Committee.

Geographer Doreen Massey refers to the peculiarity of Western logic of political and social relations in which we are first responsible to those closest to us physically, geographically and in terms of kinship, as 'the hegemonic geography of care and responsibility' (2004, p. 9). However, what we recognize as closeness in time, space or

relation, or 'propinquity' (Massey 2004) is itself the product of particular and contextual social relations. In Cambridge, residents see themselves as close to particular political heritages common to New England, and city leaders also see themselves as tied to immigrant or freed-slave histories and recognize their constituents' durable and indeed 'close' ties to other places as well.

To pretend that the boundaries which enclose the right to vote also enclose political influence and interests is indeed to 'pretend.' External interests are already present, through multinational capital, through social and cultural networks, through political organisations which do not stop at the boundaries of the city. (Massey 2004, p. 16)

Immigrant voting advocates configured their demands as consistent with existing practices by Cambridge's local government and population that indicated consciousness of their local place as a node in a globalized political space. In recent decades Cambridge has made symbolic and substantive forays into national and international political issues, from sending annual delegations including elected officials to sister cities in El Salvador and Cuba, to declaring itself both a Nuclear Free Zone and a Sanctuary City for refugees, including those not recognized by the federal government. As a Sanctuary City the local government refused to have its police force or other service agencies used by ICE for surveillance, intelligence or enforcement. However, since the post-9/11 Patriot Acts (I and II) and Secure Communities (S-Comm) program, local governmental sovereignty was under tremendous pressure in the face of federal demands for information on the population (such as providing the military with the names and addresses of recruitable public high school youth). At the same time, devolution of the national state has made localities increasingly responsible for funding their own basic services such as housing, health care and education.

While some in Cambridge sought to engage these 'wider geographies of (their own) construction' (Massey 2004, p. 11), others resisted this and framed the voting rights efforts as marginal to legitimate 'local' concerns, inappropriate for city government, dangerous financially, and even bad for immigrant Cantabridgians themselves. They posed the claims for political rights as detracting from attention to class issues such as deindustrialization, loss of low-cost housing stock, and the overall skyrocketing costs of living in a gentrifying area. Such also accused advocates of 'typical Cambridge grand-standing' without substance, and compared the Campaign for Immigrant Voting Rights, for example, to earlier declarations of Cambridge as a Nuclear Free Zone and a Sanctuary City. Some elected officials and citizens worried that announcing Cambridge's welcoming of immigrant communities to political participation would lead to a costly influx of more immigrants who would in turn 'tax existing services' and 'cause the federal government to cut funding' therefore having a negative financial impact on the city. To add fuel to this argument, one town in New Jersey posted a billboard directed at its own residents announcing 'Illegal Immigrants! Cambridge, Massachusetts is a Sanctuary City – Go THERE!' Finally, some opponents voiced concern that the national attention enacting non-citizen voting would draw to the town could lead federal immigration officials to exploit local voting records to help them identify and deport some immigrant residents. Thus, non-citizens should trust that elected officials already represented their interests, and formal enfranchisement could put them at risk.

Personal histories and identifications with earlier generations' citizenship struggles shaped individuals' responses to the non-citizen voting proposal. One Puerto Rican American state legislator from western Massachusetts told advocates that Puerto Ricans had to shed blood in US wars before gaining the right to vote and she was not sure it should

be 'so easy' for non-citizens. An elderly neighbor reminded me that Black Americans had suffered hundreds of years of slavery and Jim Crow segregation, yet still had to wait for the Voting Rights Act of 1965 to really have their franchise guaranteed. How could it be, she asked, that now someone could just come from somewhere else, vote, and get bilingual education, too? The proudly Italian American mayor shared how much it meant to his immigrant grandmother to vote in the United States. But he, too, was reticent at first because, he said, 'I am afraid this measure would cheapen citizenship', in part because immigrants should also have to 'wait their turn' like his grandmother did, even though an Italian in the early twentieth century could naturalize far more quickly and cheaply than a Caribbean, African or Latin American could one hundred years later.

Immigrant voting rights advocates justified their calls for the redefinition of citizenship based on supranational ideals of human rights, social justice and equality of representation. Invoking the increasingly common international practice of non-citizen voting, advocates argued that there are new emerging norms of democratic political practice that establish local citizenship based on presence, or physical residency, community participation and fulfillment of social and financial obligations to the community. They used these international norms to rhetorically de-legitimize state-defined standards of citizenship based on birth, descent, or naturalization. Instead they advocated democratic participation as a preferred mode of immigrant integration into the polity (Gordon 2007). Advocates were very strategic about the scope of their claims. Rather than talking about immigrant enfranchisement as innovative or progressive, they emphasized instead that immigrant voting was a practice that was revoked and therefore their efforts were *restorative*.

When voting rights activists in Cambridge were forced to counter claims that the non-citizen franchise 'cheapens citizenship', they responded that citizenship neither defined the electorate in the US historically or constitutionally. The notion that 'alien' voting is Constitutional under federal law (Rosberg 1977) was simply counterintuitive for most citizens who were unaware that article IV of the US Constitution grants each state the right to determine its own citizenry and republican form of government (Kini 2005). When pressed to defend the rights of 'aliens', they would mention that many federal laws, such as law provisions, cover all who reside in the US, and thereby more fully protect citizens' rights as well. While the image of an immigrant activist 'schooling' their Yankee neighbors about Constitutional law and history is striking enough, they also invoked civil rights struggles and the history of legal exclusion of certain citizens from the right to vote.

Situating the extension of voting rights to new groups of citizens in a progressive vision of the process of inclusion in a multicultural US, advocates argued that violating the equal protection of any resident alien group under the law undermines the principles of anti-discrimination in political life enshrined in the 14th Amendment to the Constitution. They also offered other arguments that resonated with the legal scholarship on why the 'alien franchise' would constitute a public good.⁹ In this formulation, immigrant community members have a vested interest in local affairs based on residence, home and business ownership, and status as parents of public school children. This line of argument focused on physical residence and social participation as markers of citizenship, and asserted that children of immigrant parents cannot be represented by elected officials who are not held accountable at the ballot box to their parents. Inspired by the historical narrative, they claimed that voting at the local level would prepare future citizens to participate more fully at all levels of politics through promoting the practice of voting. Immigrants were also able to cite the City Council's previously approved Home Rule Petition to the state legislature that called for the enfranchisement of local citizen youth at age 16 on the grounds of their vested interest in local affairs and school governance. Remarking on this in his May 2003

testimony to the Council, a middle-aged Haitian father asked councillors how they could propose enfranchising his teenage children but deny him the same right.

In order to lobby elected officials, non-citizen immigrants and their allies had to claim an empowered position within the very discourse of nation-state boundaries that were designed to exclude them. From one perspective, this represents a moral and political contradiction that would demand distancing oneself from citizenship discourse and state-centered political remedies altogether. Advocates for 'sharing the vote' found themselves alternately promoting and resisting ideas that reinforced the political and social boundaries they aimed to break down, whether through emphasizing the primacy of physical, local residence for enfranchisement, or making the claim that local voting would in fact *promote* naturalization through political engagement, education and incorporations of immigrants. They often seemed to agree with some opponents that legal citizenship was the proper end goal for all immigrants, but that since federal laws currently make this so difficult, local efforts had to be made 'in the meantime'. On the other hand, struggles like the non-citizen immigrant voting rights movement still represent political projects for inclusion that challenge the status quo of citizenship (Varsanyi 2006). They offer potent alternatives to contemporary xenophobic politics and policies without downplaying the importance of federal regulations and formal citizenship exclusions.

Troublesome tensions

As in any social movement, there were tensions in this movement to reconfigure citizenship that reveal the complexities facing advocates for a more expansive notion of citizenship within the context of electoral democracy and liberal political institutions. Activists were clear amongst themselves that, though the goal of their campaign was confined to local voting rights only, they remained hopeful and enthusiastic about the issue because it represented a positive affirmative campaign in the face of a national anti-immigrant movement. Their fluency in the historical and legal scholarship challenged the proprietary claim on citizenship of the nation-state and constructedness of citizenship as a legal and social institution.

However, in order to participate in a reconstruction or reconfiguration of citizenship through the struggle for local immigrant voting rights, they found themselves constrained by the regional legislative process as they tried to rewrite citizenship from within these faces of the state. These institutions and officials demanded that they deny any broader claims or aspirations beyond the goals of voting for School Committee or City Council. For example, elected officials at the state level raised a concern that, once entered on local voting roles, non-citizens might have a legal basis to claim the right to run for and hold public office. Some state officials, who had begun their own careers in local government, expressed concern about the possibility that enfranchised non-citizens might be elected to office. In many jurisdictions, being a local resident and registered voter make one eligible to run for local office. It was one thing to allow local residents to vote 'for dog-catcher' (a favorite colloquialism of advocates, to emphasize the very limited nature of their goals), but it was another to actually want to *run for* dog-catcher.

The arena of electoral and legislative politics demands that participants engage in discourses of entitlement that draw boundaries of inclusion and exclusion around and between the community of citizens, oneself, and even one's own neighbors and family members. Those advocating for non-citizen voting rights sought to break down certain political boundaries in the name of inclusion, empowerment and representation. Yet the limits of state-centered, legalistic discourses of rights meant that these activists faced very

thorny questions of how to shift political boundaries to be more inclusive without becoming complicit in the continued exclusion and disenfranchisement of others, for instance undocumented immigrants.

Cambridge voting rights advocates agreed that undocumented people should be enfranchised along with all other immigrant residents of the city. They refused to compromise on this, even though the other cities and towns in Massachusetts considering such measures, such as Amherst and Newton, proposed only to enfranchise legal permanent residents (LPRs), also known as holders of the coveted (pink) 'green card'. Instead the Cambridge advocates argued that LPRs only constituted a fraction of the many people with 'legal' immigrant statuses and that proof of residency in Cambridge should be the sole determinant of voting eligibility. As a result, the actual language of the ordinance invokes the idea of 'declarant citizenship' used in the Midwest in the nineteenth century to enfranchise German and Scandinavian men as part of expansionist projects to colonize. A declarant in Cambridge would attest that her/his presence in the United States was known to immigration authorities and that s/he intends to naturalize at the first opportunity provided him/her by law. This allowed local officials to deny that the law was about enfranchising undocumented people and activists had another arsenal of reassuring arguments about why undocumented people 'were not an issue' that they offered both local- and state-elected officials. They also argued that, although their efforts began with attempts at enfranchisement limited to the governance body for public education, the School Committee, that whether or not an adult had children was irrelevant for voting. This was important because being a parent or guardian had been the criteria for non-citizen voting for 40 years in New York City, and was the language of failed ballot measures in San Francisco in both 2004 and 2010.

In the end, advocates' strategy of discursive normalization and Americanization of non-citizen voting, while effective in specific legislative contexts, was unable to dodge the more fraught issues of belonging and exclusion underlying the opposition to immigrant political integration and cultural citizenship in the US. Without a large mass movement led by immigrants, immigrant rights and civil rights organizations mobilizing on behalf of their issue, advocates were unable to get their measure past the quiet death of being 'sent to study' in legislative committee. Even if they had managed to pass the Home Rule Petition at Statehouse and enact the measure in Cambridge, after such a focused legislative campaign, the small group of advocates would have needed to start from scratch with new grassroots outreach and education efforts to actually register and turn out a significant proportion of non-citizen voters as well. With almost no financial resources supporting the campaign in its final years, and with no mass immigrant-base organizations leading the effort anymore, the transformative impact of the campaign itself became more limited as well. While efforts focused on obtaining a very limited, almost administrative change in local voting practices, in order to succeed, they needed far more mass mobilization and support than their small committee could muster on its own.

Analyses of neo-liberal governmentality and Foucaultian subjectification (Ong 1999, Rose 1999) fell short in terms of helping me understand what I was observing in this campaign. Here were people evidently acting as good citizens, employing appropriately liberal democratic strategies and discourses, dedicating time and tremendous effort over many years to obtain (an as-yet unattained) supremely modest electoral reform. Yet despite the messiness of their engagement with the state, they also deepened and developed their own critique of citizenship into a more critical political stance. They recognized state power and sought to make their way through it, while battling the dominant notions of citizenship that limit its future political possibilities. This is one example of the kind of

dissidence and insurgency that has deep roots in American citizenship traditions, but that is also rearticulated and remade as new citizen-subjects seek to change the rules of belonging and entitlement in their particular locations.

The trouble immigrant voting rights advocates faced was that in order to wage this particular struggle, they had to engage in a very state-centered legislative process. Advocates spent hours working with elected officials on language and meeting with state legislators from other districts who held influential positions on the Elections Laws Committee that would have to approve Cambridge's Home Rule Petition. Activists who wanted to disrupt citizenship-as-usual found themselves intimately engaged with social groups and institutions that rooted their own legitimacy in either ties to the seventeenth-century Massachusetts Bay Colony or to late nineteenth- and early twentieth-century waves of European immigration. A vision of disentangling citizenship from the confines of the nation-state in the context of transnational migration from the postcolonial world was not going to move either the local elected officials or the state legislators empowered to allow such a measure to take effect. Arguments based on the 'all affected principle' (Beckman 2006) asserted that those affected by government should have a voice in it. These in turn invoked fears that opening up the electorate could challenge existing power relations beyond those of the School Committee. As it had in previous sessions, the state legislature's Committee on Elections Laws eventually sent the 2003 Home Rule Petition from Cambridge 'to study'. They declined to vote on the measure, effectively putting it to sleep for another two-year legislative cycle. Despite having passed some form of the measure locally three times in different legislative sessions, the City has been blocked from implementing the measure by state legislators' refusal to consider the petition.

The people I worked and studied with in Cambridge strove to put official, exclusive discourses of legal and political rights and belonging to the service of popular grassroots movements for inclusion and equality. In doing so they tested the dynamic potential of the categories of 'citizen' and 'citizenship' that academic writing describes as post-national, flexible, global, and so on (Soysal 1994, Holston 1999, Ong 1999, Isin 2000). As we sat around together at schools, churches or City Hall, waiting for meetings with local public school parents' groups, city officials or immigrant non-profit organizations, it became clear to me that this issue 'had legs' to sustain it, whether or not individual measures or efforts would prevail in the short term. While immigrant service-providing organizations in Massachusetts felt they needed to devote their own limited political capital to more immediate struggles for drivers' licenses, equal access to public universities for undocumented immigrants, and more recently, to opposing the terrorizing raids on immigrant workplaces by ICE officers, they were intrigued and excited by the way the voting rights struggle articulated with their own. Whether or not the measures could be enacted into law, the process of broadening support across towns in order to encourage state legislators from other areas to support Cambridge's local measure generated a space for dialogue about rights, entitlements and citizenship, and indeed a new way of talking about the history of non-citizen political participation at the local level.

Trans-local discussions with other committees in New York, Connecticut, San Francisco, and Boston and news of individual elected officials in states as diverse as North Carolina, Texas and Minnesota proposed local ordinances and statewide enabling acts revived local activists when their own efforts seemed doomed to failure, at least in the short term. After the debacle of the 2000 presidential election and its voting rights violations, broader efforts around electoral reform in the US have inspired more attention to local democratic structures. Such efforts provided immigrant voting advocates opportunities to speak with one another at meetings in Washington, New York and Boston,

but also to relate their issue to a broader platform of local reforms, from ranked-choice voting to same-day voter registration and the voting rights of ex-felons.

As in Massachusetts, efforts in other places have also encountered obstacles in either local- or state-level state institutions that have mitigated every campaign since the enactment of the 1992 ordinance in Takoma Park, Maryland. San Francisco defeated two different local ballot measures on immigrant voting in 2004 and 2010, but indications are that these defeats may have had as much to do with strategic campaign failures as with unrelenting opposition to the idea (Kini 2005). In a November 2010 race so close that even advocates were surprised by the results, Portland, Maine narrowly defeated a local ballot measure that would have enfranchised local LPRs. That same fall, Brookline, Massachusetts introduced its own Home Rule Petition for LPR local voting. Perhaps most significantly, the New York City Council is currently considering a proposal to enfranchise all New Yorkers in all local elections.

While the failure to enact new measures, at least to date, points to the resilience of formal and informal exclusionary mechanisms of citizenship, as well as the more pressing preoccupations of an immigrant rights movement under siege by the state and the media. The spread of similar campaigns to an ever-increasing number of locales and the attention they garner opens the door for immigrant and voting rights activists to introduce, interpret, and debate the logics of 'local citizenship' and 'non-citizen voting'. The issue of expanding the franchise offers people the opportunity to engage with others not only in modest political action but a public, collective process of re-theorizing citizenship itself. Many immigrant rights advocates also welcome the positive character and hopeful aspirations of such a campaign for rights, since so much of their time is necessarily focused on the crises engendered by the highly securitized US wartime state and the anti-immigrant drumbeat in politics and the press.

Rights and responsibilities

The Cambridge Immigrant Voting Rights Campaign justified its local citizenship claims in terms of national law and tradition, and also invoked the global and emergent practices of local enfranchisement as a new transnational democratic norm. In its use of personal immigration narratives in public testimony it also signaled what Doreen Massey calls 'geographies of responsibility' (2004) where local places are not mere victims of globalization (and its national juridical-legal face of 'federal immigration policy') but are also the beneficiaries of globalization that instantiates real geopolitical inequalities and shapes migration and settlement patterns. Whereas it is true that local governments must manage the local impacts of federal policy and international political economy, a city like Cambridge, despite its prideful working-class roots, has also benefited as a magnet for global financial and intellectual resources. The vibrant cultural life and high standard of living that characterize the city are daily and directly subsidized by the low-cost labor of immigrants as well as other extra-local investors, making it a clear example of how some localities benefit tremendously from their location in the global space. The local is not innocent in the global.

Cantabridgians found their efforts both enabled and constrained by their invocations of American history and their appeal to the state for political recognition, an example of what Butler describes as the complex process of performativity, the 'turning of power against itself' by 'forging a future from resources inevitably impure' (1993, p. 241). The community members I accompanied as they lobbied for non-citizen voting rights 'performed' (in the active, Butlerian sense) the citizenship status they aspired to for themselves and other immigrants, even as they recognized the constraints and limits of the

nation-state-centered language of 'citizenship' itself. When non-citizen immigrants exert their rights to participate fully in democratic politics, and indeed claim the right to do so as a shared responsibility of the governed, they directly challenge the cultural 'common sense' that the status of the citizen depends upon the alienage of the non-citizen (Bosniak 2006). In making claims to belonging based on diverse forms of participation and contributions to the culture in which they live, advocates for immigrant political rights expand the realm of citizenship to include social relations that are not defined exclusively in terms of relationship to the state (Dagnino 1994, 2003). In claiming their rights to belong and participate fully in social and political life, non-citizens practice cultural citizenship and challenge the problematic tradition of citizenship status as a static category of institutional exclusion (Flores and Benmayor 1997). The process of claims-making itself transformed the way immigrants saw themselves in relation to citizenship, US political history, and contemporary political possibility. Such movements, even where they are configured as eccentric, marginal, or (to date) un-won, are key manifestations of democratizing efforts and sites of hope and new possible futures for the US. They represent claims for recognition of difference coupled with full political rights, and they acknowledge that the struggle for first-class citizenship status continues long after formal equality is granted in law (Rosaldo 1994, 1997).

The arena of electoral and legislative politics demands that participants engage in discourses of entitlement that draw boundaries of inclusion and exclusion around and between the community of citizens, oneself, and even one's own neighbors and family members. Grassroots community members advocating for non-citizen voting rights seek to break down certain political boundaries in the name of inclusion, empowerment and representation. Yet the limits of state-centered, legalistic discourses of citizenship rights mean that these activists faced the question of how to shift political boundaries to be more inclusive without becoming complicit in the continued exclusion and disenfranchisement of other local community members. They resisted efforts to re-create legal inequalities amongst immigrants by refusing to privilege legal permanent residents and ignore or erase immigrants of other visa statuses, or who were currently out-of-status. The ways that these everyday people (in Cambridge and Amherst, the groups are made up of immigrant and non-immigrant public school parents, teachers, childcare providers, custodians, taxi drivers, housewives, nonprofit service providers, academics) strove to put official, exclusive discourses of legal and political rights and belonging to the service of popular grassroots movements for inclusion and equality represent a true test of the flexibility of the political and cultural categories of 'citizens' and 'citizenship'.

These struggles for the franchise and the discussions they engendered offer a political space in which non-citizens and their citizen allies worked together to demand a more robust, inclusive and participatory notion of what it means to be a full member of US society. The 'local level' of government seemed to provide the opportunity for modest institutional adjustments towards their goal, but also to discuss issues of inclusion and rights publicly with their immediate neighbors and elected officials. However, their 'local' struggle required that they engage actors and initiatives in other towns, state laws and legislators, and national political discourse and citizenship categories. They confronted the problem that the 'local' was not separable from the 'state' or 'federal' levels either in practice or in discourse, but trans-local ties to other 'local' struggles, and transnational examples of non-citizen voting laws already in practice were also helpful to them in their efforts. While the legal impact of their reform efforts was quite limited, they confronted a degree of resistance to change from both city residents and state-elected officials that indicated that the 'scales' of citizenship cannot be disaggregated so easily. They also

needed to add the issue of temporality to space, by showing the dynamism of immigrant voting laws in US history. Yet such discursive opportunities and spaces are politically rejuvenating for citizens and citizenship for several reasons. They not only offer trans-local ties that support local efforts to provide alternatives to nativist national policies, but in the process of discussing and debating the issue of the relationship between voting and citizenship, people develop and share their rationales for more expansive and participatory citizenship as a source of hope for a more inclusive and equalitarian future. Such dialogues among people in the context of struggle with the state, however modest, localized, and indeed unsuccessful (in immediate legislative terms), are important sites of cultural and social transformation, the fruits of which, as in the case of so many social movements of the past, we may only come to fully appreciate in the future.

Notes

1. Organizers recruited me to attend this meeting as a parent in a local bilingual school with a large immigrant parent population and I have been cited primarily as an 'activist' in this movement (Kini 2005, Hayduk 2006). However, my colleagues in the Cambridge Immigrant Voting Rights campaign were also supportive of my research and scholarly interest in their work. I owe these committed advocates for any positive contributions this article may have to offer: Jean Jeune, Marie Elena Letona, Natalie Smith, Germaine Valentine, and Marla Erlien. Any errors of analysis or omissions are the sole responsibility of the author.
2. Hayduk cites California Senator Diane Feinstein in 2004 as also opposing non-citizen voting because it 'dilutes' citizenship's 'promise' (2006, p. 126).
3. In this designation, Cambridge officials referenced the category of 'declarant', a group of persons enfranchised by many states in the past (Rosberg 1977). This particular effort to build a broader base of support without further marginalizing any official category of immigrants led to future troubles at the Statehouse. Already eager to find reasons to neutralize Cambridge's petition without having to vote on it directly, state legislators criticized the language as convoluted and inelegant, as well as unenforceable. Frustrated as advocates were by state officials' response to their earlier efforts at compromise with local electeds, this seemed a good example of the colloquial American expression that there are two productive processes one should not like to see: the making of sausages and the writing of laws.
4. See also Song (2009), who also cites Shklar, for a more extended discussion of this issue and the questions non-citizen voting raises for democratic ethics and political theory.
5. Brozovich notes that in the 2000 national elections, only 51.2% of citizens voted, a voter participation level reflecting a 25% decline since the 1960s (Brozovich 2002). Chung points out that low voter participation is also acute among Asian and Latino voters (Chung 1996). Depending on how you calculate Voting Eligible Populations versus Voting Age Populations, you get a different voting rate: e.g. for 2004 presidential elections VEP rates were above 60% (McDonald 2004).
6. 558 US 080-205 (2010).
7. Including but not limited to Amherst, MA, Brookline, MA, Cambridge, MA, Chelsea, MA, Hartford, CN, Minneapolis, MN, Newton, MA, New York, NY, Portland, ME, San Bernadino, CA, San Francisco, CA.
8. Interview with Jean Jeune, Cambridge, MA.
9. Most local activists had read themselves, or heard summarized, Jamin Raskin's law review article (1993) on the measure he sponsored as a city councilor in Takoma Park, Maryland – still the only contemporary US town with institutionalized non-citizen voting at the local level. Cambridge immigrant voting advocates had been passing photocopies of this article amongst themselves since the mid-1990s.

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