CITIZENSHIP IN THE CONTEXT OF GLOBALIZATION

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The idea that citizenship exists in uneasy relationship with globalization is intuitively plausible. Citizenship derives from the existence of a community of people, a polity, embedded in a geographically bounded nation state recognized by other nations and with boundaries and laws upheld, if necessary, by force.

Globalization, on the other hand, is a phenomenon. It has political, economic, socio-cultural, and technological dimensions,[1] and refers to integration and inter-connectedness across national boundaries along these dimensions. Because goods, services, ideas, and people have always moved, to some extent, around the globe, references to globalization today speak to a change in the magnitude of such movement. It is a phenomenon of increased interconnectedness – increased flows of goods, services, people, and ideas through traditional as well as new channels. This increase has made the relationship of citizen and the nation state more complex.

Current globalization results from the global spread of capitalism, by internationalization of functions of production, and by changes in communications technology. Scholars differ on precise definitions of globalization, but there is consensus that it involves blurring of boundaries. In this paper, "globalization" will refer to "a cluster of related changes that are increasing the interconnectedness of the world. These changes are occurring in, but not limited to, economic, technological, cultural, and political realms. Furthermore, globalization is not restricted to merely enhancing the interdependence of already existing entities or the intensification of established networks or flows, but is also creating or facilitating the creation of new ones."[2]

Two aspects of globalization have implications for citizenship. First, the movement of people across national boundaries to live and work calls into question issues of national identity and belonging, of membership in a polity, and of the rights that accrue to that membership. Second, a hallmark of globalization is the existence of transnational and multinational organizations that are overlays on national sovereignty. These exist in parallel with the nation state and both complicate and diffuse the rights and privileges that accrue to citizenship.

While globalization is not a new phenomenon in the history of the nation state, three aspects of its current manifestation are new and create unique pressures on sovereignty and on citizenship. First, travel has become more rapid and relatively inexpensive, making movement around the globe by individuals, goods, capital, and groups easier and more widespread than ever, intensifying globalization.[3] Transnationalism, defined as maintenance

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[1] Croucher, Sheila L., *Globalization and Belonging, The Politics of Identity in a Changing World,* Rowman & Littlefield Publishers, Inc., Lanham Maryland, 2004, page 10.

[2] *Ibid,* page 13.

[3] *Ibid,* page 22.

of strong, enduring political, social, and economic ties by migrants to their homelands,[4] has become a sufficiently significant phenomenon that the *International Migration Review* devoted its entire Fall 2003 issue to the subject. Production and consumption occur on a global scale.

Second, computer and telecommunications technology facilitate capital flows around the world and increase the interconnectedness of individuals, ideas, and culture to an unprecedented extent. Foreign-born residents in the United States can keep close contact with their countries of origin through the Internet and can, with satellite technology, often watch the same television programming as they would in their home countries. The ability of individuals to straddle two cultures for long periods of time has never been greater.

Finally, the hegemony of the United States through institutions such as the World Bank and the International Monetary Fund (IMF) creates new mechanisms for constraints on the sovereignty of national governments. While our first instinct is to view with alarm the idea of international hegemonic pressure on national governments, the story is complicated. In some cases, pressures created by the global spread of capitalism have led governments in developing countries to undertake reforms that strengthened their institutions and democracies.

The example of Brazil comes to mind where the administration of Henrique Cardoso adopted many of the prescriptions of the so-called Washington Consensus that are closely associated with globalization. The result was to constrain rent-seeking behavior among political elites by, for example, eliminating state-owned banks. During the 1990s Brazil experienced a reduction in the percentage of its population living in poverty, an increase in the middle class, and strengthening of its political parties. Reform of its financial system brought inflation under control, benefiting the poor who are vastly more vulnerable to inflation than are the wealthy. The 1990s ended with the democratic election of Brazil's first working-class president.

In other cases, rules imposed by the World Bank and the IMF in the interests of Western capitalist economies constrain national governments in their pursuit of legitimate domestic policies and subvert the authority of democratically elected governments.

Part I of this paper will lay out a conceptual framework for the tensions between citizenship and globalization in its current manifestations. Part II will contrast the impact of globalization on citizenship in the United States today as compared to globalization during the last great wave of immigration to the United States at the turn of the 20th century.

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[4] Levitt, Peggy, Josh DeWind and Steven Vertovec, "International Perspectives on Transnational Migration: An Introduction", *International Migration Review,* Volume 37 Number 3, Fall 2003, page 565.

Culture and National Identity

An extensive academic literature explores the nature of culture and national identity, its relationship to nation states, and to the rights of citizenship which derive from membership in such states. Social scientists debate the extent to which culture and identity is primordial, essential, fixed and given by nationality, ethnicity, and religion. Samuel Huntington, in his book, *Clash of Civilizations*, is a prominent proponent of this view.[5]

An alternative view is of culture and identity as fluid and socially constructed. This view argues that individuals have "any number of identities. Some of these identities intersect or collide with others, and all vary in salience across time and across contexts."[6] And, importantly, this view holds identity to be malleable, shifting across time and place for individuals and for societies.[7]

The Nation as a Community of Citizens

A nation is more than a political boundary. It embodies a sense of shared identity and history. Distinguishing between "a nation as a community of citizens from other forms of historical or cultural collectives (ethnies) and from the state"[8] is necessary to specific discussion of citizenship. The following definition of a nation state is useful:

> Like any political unit, the nation is defined by its sovereignty, exercised internally to integrate the populations that it includes and, externally, to assert itself as an historical subject in a global order founded on the existence and relations between politically constituted nations. But its uniqueness is that it integrates populations in a community of citizens, whose existence legitimates the internal and external action of the state.[9]

An integrated community of citizens confers legitimacy, or nationhood, on the state, but if historical and cultural identities are antecedents of the political form of the state, the salience of these antecedents is bound to increase during periods of flux. Culture and identity matter when considering globalization because they impact the extent to which globalization's blurring of boundaries affects the cohesion of the community of citizens and therefore legitimacy of the nation state.

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[5] Croucher, Sheila L., *Op Cit,* pages 36-37.

[6] *Ibid,* page 38.

[7] *Ibid.*

[8] Schnapper, Dominique, *Community of Citizens, On the Modern Idea of Nationality,* Transaction Publishers, New Brunswick New Jersey, 1998, page 12.

[9] *Ibid,* page 16.

They also matter because, as will be discussed below, they inform conceptions of the citizen, that are manifest in laws governing membership in the polity – who has standing and what rights accrued to standing. Thus, culture and identity that transcend national boundaries have implications for individual and collective understanding of the community of citizens and directly raises the question of who is "us" and who is "them" within the political boundaries of the nation state.

If identity is fixed, then migration of diverse people, culture, and values across political boundaries leads to disintegration of the community of citizens and is an assault on the nation state. In this context, globalization erodes the congruence between the boundaries of the nation (the community of citizens) and the state (the territorial political boundary).

If, on the other hand, identity is fluid and malleable globalization might alter the specific "character" of the community of citizens, but the nation state can be understood as a more robust entity, capable of evolving and adapting.

Further, where a nation state is in developmental time is likely to matter to how it is impacted by globalization. Nations go through a dynamic process of integrating its populations into a community of citizens during which there emerges a sense of common goals, a critical mass of common practices and beliefs, and, most importantly, legitimate social and political institutions.[10]

As Dominique Schnapper states in *Community of Citizens*: "The term integration … is not a matter of an irenic process. On the contrary, it is normally by means of internal violence–by reducing political and cultural particularisms–and external violence–by wars–which the processes of national integration have occurred."[11] Longstanding nation states have generally undergone a more thorough process of integration and will be impacted differently by globalization than "developmentally younger" nations.

The years since the Cold War have seen tremendous political and economic flux. Representative events include the emergence and dissolution of nation states, creation of the supranational European Union, unprecedented global economic integration, resurgence of religious fundamentalism and ethnic rivalries, and increased human mobility around the globe. International labor mobility has resulted in large numbers of people living and working in countries of which they are not citizens.

Human agency has become more complex. Individuals face greater options in deciding where to live and work, making decisions in the context of social and economic networks that span national boundaries. These networks strengthen ties to people's countries of origin and lessen the extent to which foreign-born residents of a country see themselves as members of the community of citizens in their countries of residence. Thus the cohesion of

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[10] *Ibid,* page 24.
[11] *Ibid,* page 27.

communities of citizens within geographically bounded space has been undermined by globalization.

The State Remains Central, But …

The nation state remains a principal organizing mechanism of human society. But other dimensions of human association – social and political causes, culture, ethnicity, and religion – are increasing in salience and complexity within the boundaries of nation states. Political scientist Shelia Croucher has written:

> At first glance, an unforeseen terrorist attack on the United States by Muslim fundamentalists seems not only impossible to predict, but strangely out of place in a high-tech, globally interconnected world. On second glance, what looks like a paradox reveals itself as a complex, contradictory, overlapping set of realities that entail both integration and disintegration, homogenization and fragmentation.[12]

The events of September 11 2001, in fact, highlight the ambivalent role that states play in the world system. The United States is currently engaged in a "war on terrorism" with a stateless enemy, an enemy that skillfully uses the technology of globalization such as cell phones, the Internet, automated teller machines, and systems of international financial exchange. Yet the nation state is the principal vehicle for combating this stateless enemy. [13]

The consequences of increased human agency are complex. One way that current globalization increases agency and undermines the centrality of the community of citizens is the extent to which people with limited access to the civil, political and social rights of citizenship in the countries of their birth can more easily "vote with the feet" and move across national boundaries in search of a better life. Migrant labor in Europe and the United States is widespread.

Remittances, estimated at over $80 billion in 2002, dwarf foreign aid to developing countries, and, for some countries, constitute a significant portion of the gross domestic product.[14] At first glance, the individuals, families, and communities of these transnational workers benefit, but at what costs to the political and economic institutions of sending countries.

Does the out-migration ease pressure on governments to build societies that people aren't compelled to leave, or does the inverse occur? Do remittances increase capacity to build such institutions? Do political systems become more democratic?

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[12] Croucher, *Op Cit,* page 1.

[13] *Ibid*, pages 3-4.

[14] Kapur, Devesh and John McHale, "Migration's New Payoff", *Foreign Policy Magazine,* Nov/Dec 2003, Issue 139, page 49.

Exploring these questions is beyond the scope of this paper, and the answers are far from straightforward, but, for example, there is evidence that remittances have improved Mexico's formerly weak retail banking system that has, in turn, increased the availability of micro-credit in small and rural communities.[15]

The following quote speaks as much to modernity as it does to globalization, but is nonetheless pertinent:

> The democratic nation is weakened because its sovereignty in the world of politically constituted nations is continually more limited. It is weakened because the political project by which it integrated various populations has been exhausted. National reality has been steadily transformed into a community of work, culture, and the redistribution of wealth. The bond between men becomes less civic than utilitarian or instrumental. Democracy is born under a national form, but the ambition of giving a substantive content to the formal equality of law – embedded in the very values of democratic legitimacy – and the logic of production both risk permanently enfeebling the political project which lay at the foundation of the nation.[16]

Citizenship and Citizens

Rights which nations afford their citizens fall along a continuum, with liberal democracies at one end of a spectrum and despotic dictatorships at the other. Large numbers of people live with limited citizenship rights under ineffective and/or corrupt governments. While nation states exist in more or less legal equivalence to one another, citizenship does not confer equal benefits across or even within states.

Marshall, in his seminal work on citizenship and social class articulated three key attributes of citizenship as including equality of political, civil, and social rights.[17] His thesis, widely accepted in Western political thought, is summarized by the following:

> Citizenship has three aspects, namely, that citizens have a say in political decision making; access to courts of law that are manned by co-citizens who judge according to rules that equally apply to all citizens; and a guarantee of minimum socioeconomic conditions of existence. Citizenship is a matter of emancipation, of successively realizing these threes aspects of political, legal,

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[15] *Ibid.*

[16] Schnapper, *Op Cit,* page 155.

[17] Marshall, T.H., *Class, Citizenship and Social Development,* Westport: Greenwood Press, 1973, pages 65-122.

and socioeconomic participation for all people who find themselves on the territory of the state.[18]

Political and civil rights, achieved in western liberal democracies during the 18th and 19th centuries,[19] are today a matter of legal definition and whether citizens have equal standing in the law is relatively straight forward to determine. (The distinction between equal legal standing and effective equal access to things like voting and redress in the courts is duly noted.) Social rights are a more ambiguous concept and there is disagreement over whether they relate to equality of outcome or equality of opportunity. Access to social rights has been the domain of the 20th century[20], and nation states vary enormously in the extent to which social rights have been established or are considered legitimate. In the United States, the concept of broadly defined social rights is far from universally accepted.

A corollary concept to the rights of citizenship encoded in the nation state is that of the citizen itself. One view is of the citizen as liberal-individualist, a responsible individual who can make choices and accept the consequences of those choices. Another is of the citizen-communitarian, part of a mutually connected people with a responsibility to help each other out. A third is of the citizen as republican, as a member of a proud public community.[21]

Conceptions of the citizen are important because the blurring of boundaries engendered by globalization have implications for the nation state and for the individual citizen. How a nation receives immigrants is largely shaped by its understanding of the citizen. If immigrants bring conceptions of themselves as citizens which differ from those which dominate in the society to which they move, the question arises of who changes – the immigrant or the society. The answer to this question, in turn, depends on a number of things including the extent to which identity is, in fact, malleable, the size of the migrant group relative to the native-born population, and the extent of difference in conception between the native-born and the immigrant population.

PART II: GLOBALIZATION AND CITIZENSHIP IN THE UNITED STATES

In the United States, the dominant conception of the citizen has been the liberal-individualist. Civil and political rights as individual endowments and embedded in citizenship are central to American liberal democratic traditions and myths.

Historian Philip Gleason expressed that conception when he asserted that to be an American citizen, "a person did not have to be of any particular national, linguistic, religious,

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[18] Gunsteren, Herman van, *A Theory of Citizenship: Organizing Plurality in Contemporary Democracies,* Boulder Colorado: Westview Press, 1998, pages13-14.
[19] *Ibid,* page 14.
[20] *Ibid.*
[21] *Ibid.*

or ethnic background. All he had to do was to commit himself to the political ideology centered on the abstract ideals of liberty, equality, and republicanism."[22] The limits to the application of this principle, however, have been sufficient to call into question its singularity in American political consciousness.

Even Gleason acknowledges that this ideal has not been universally applied, witness the fact that blacks, American Indians, women, and, at various times, other racial and cultural groups were deemed to be outside the realm of American polity due to a "latent predisposition toward an ethnically defined concept of nationality." [23] But Gleason asserts that there has been an official commitment to those principles that has worked historically to overcome these exclusions.

This assertion implies linear progression toward an increasingly universal application of the liberal-individualist ideal. Examination of the history of inegalitarian provisions in United States law, however, shows a progression that has been far from linear. American's community of citizens derives from cultural identity that may include adherence to those ideals, but also includes much more. From the outset, the U.S. has stratified political rights in ascriptive terms.

Debates over how to parse this stratification have been framed in terms of "fitness" for political rights and have defined who has access to power. Thomas Jefferson, whose name is synonymous with espousal of the liberal-individualist citizen, was as much concerned about crafting a government with built-in limits to its ability to centralize power as he was about problems of a mass society.

In Jefferson's view, reserving the right to govern – access to power through political rights – to those schooled in republican ideals and in the arts of ruling was a crucial guard against corruption.[24] Civil rights, on the other hand, were seen as more universally held. Even non-citizens could be entitled to civil rights. Other than the right to vote and hold office, the U.S. Constitution frames rights as vested in "persons" not "citizens."

James Madison argues that those obliged to follow the obligations of our legal system are also entitled to its protections.[25] Jonathan Elliot writes that "… it does not follow, because aliens are not parties to the Constitution, as citizens are parties to it, that whilst they actually conform to it, they have no rights to its protection. Aliens are not more parties to laws, than they are parties to the Constitution; yet it will not be disputed, that as they owe,

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[22] Gleason, P., "American Identity and Americanization", in Petersen, W., M. Novak, and P. Gleason, *Concepts of Ethnicity,* Cambridge: Harvard University Press, 1982 (orig. 1980), page 62.

[23] Smith, Rogers M. *Civic Ideals: Conflicting Visions of Citizenship in U.S. History,* New Haven: Yale University Press, 1997, page 15.

[24] Kahn, Joel S., *Modernity and Exclusion*, Thousand Oaks California, Sage Publications Inc, 2001, page 83.

[25] Cole, David, *Enemy Aliens: Double Standards and Constitutional Freedoms in the War on Terror*, New York: The New Press, 2003, pages 212-213.

on one hand, a temporary obedience, they are entitled, in return, to their protection and advantage."[26]

In fact, it is this tension between universalist ideals and the not-so-latent predisposition to racially and ethnically based citizenship that defines the American conceptions of citizen. According to Rogers Smith, "… the relative egalitarianism that prevailed among white men (at first, moderately propertied white men) was surrounded by an array of fixed, ascriptive hierarchies, all largely unchallenged by the leading American revolutionaries. Men thought themselves naturally suited to rule over women, within both the family and the polity. White northern Europeans thought themselves superior, culturally and probably biologically, to Africans, Native American Indians, and all other races and civilizations."[27] Inegalitarian legal provisions have been so pervasive that

> when restrictions on voting rights, naturalization, and immigration are taken into account, it turns out that for over 80 percent of U.S. history, American laws declared most people in the world legally ineligible to become full U.S. citizens solely because of their race, original nationality, or gender…. Those racial, ethnic, and gender restrictions were blatant, not "latent." For these people, citizenship rules gave no weight to how liberal, republican, or faithful to other American values their political beliefs might be.[28]

Thus, from the outset, even civil and political rights of citizenship in the United States have been contingent on explicitly non-universal racial, ethnic, and cultural attributes. This contingency has persisted throughout American history, is exacerbated during periods of high immigration characteristic of globalization, and is very much at the forefront of immigration debates today.

Citizenship as including social rights derives from communitarian conceptions of the citizen and is a contested idea in American political life. American founding documents enshrine egalitarian liberal Lockean ideals of inalienable civil and political rights, vested in the individual, defined as rights to life, liberty, and property (including the fruits of one's labor). The concept of rights is of equality of opportunity rather than equality of outcome, and the Lockean conception of right to property conflicts with the concept of social rights obtained through government as a redistributive agent.

Debates about the welfare state and social safety nets are as much about the legitimate role of government as they are about how effective government can be in providing such benefits. The framers' conception of the government which would produce the greatest good for the greatest number was one whose power was limited. The Constitution was

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[26] Elliot, Jonathan, *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, (Philadelphia: J.B. Lippencott, 1836), v.4, page 556.
[27] Smith, *Op Cit,* page 17.
[28] *Ibid,* page 15.

designed to inhibit the "natural instinct for maximizing personal gain of those in and out of government by instituting a judicious balancing of powers among different branches and levels of government and between government and the people."[29]

Citizenship as embodying social rights was not part of the Founders' vision, and there has been an ebb and flow of social rights in American history. Since being educated was seen as a precondition for being fit for citizenship, the right to education was enshrined early in the nation's history. The right to social security was established by Roosevelt's New Deal following the Great Depression. The extent of other social rights, such as health care and minimal food and housing, remains unsettled, having been expanded during the 1960s and 1970s, then eroded since the Reagan administration. These issues remain deeply contested.

Citizenship and Political Rights in Two Eras of Globalization

The underlying tensions in American citizenship ideals surround ascriptive limits to universalism and contested social rights. These tensions are brought into sharp focus by the widespread immigration coincident with globalization. Immigration raises two key questions.

First, the question of who can become a citizen – join "us" – relates to national identity and cohesion of the community of citizens central to the nation state. Incorporating large groups of "different" people who are easily identifiable by virtue of their race, cultural practices, ethnicity, or religion requires a shift in cultural identity. Such shifts take time.

Second, an influx of a large group of people easily identifiable by virtue of their race, culture or ethnicity and whose understanding of "citizen" is more communitarian than liberal-individualist magnifies those tensions in the national debate over citizenship and citizenship rights.

Progressive Era Immigration[30]

The Progressive Era of the early 20th century, like the current post-industrial era of globalization, was a time of tremendous social and economic change. Like today, that period saw increased global integration and intense debates over citizenship and its rights in the face of an increase in immigration from non-traditional countries.

Between 1820 and 1920, some 50 million Europeans migrated to the New World, and about three-fifths of them came to the United States. During the first half of the 19th century, the bulk of the migrants were from northern Europe. By the end of the 19th

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[29] Kahn, Joel S., *Modernity and Exclusion*, Thousand Oaks California: Sage Publications, Inc., 2001, page 83.
[30] For a more extensive discussion of U.S. immigration policy during the Progressive Era, see the Udall Center's Immigration Policy Working Paper 2, *Then and Now: Today's Echos of the Progressive Era*, by Judith Gans, 2005.

century, the primary origins of immigrants had shifted from northern to southern and eastern Europe.

Much of this migration coincided with industrialization in Europe and the United States, and the primary determinants of migration decisions were economic.[31] Interestingly, there was also significant return and circular migration. Typical immigrants were young men between the ages of 15 and 40 years old who came unaccompanied by their families.

Officials estimate that between 1890 and 1914, return migration was 30 percent of the gross inflow.[32] While the rate of return migration varied greatly by country, there was little attention paid to return flows in the national debate over immigration. The dominant understanding was that immigrants were here to stay, and the national debate focused on who should be allowed to come and whether they were "fit" to be American.

Industrialization itself caused upheavals in American national identity. The end of the 19th and early 20th centuries saw Americans struggle with tremendous social, political, and economic change. The 14th and 15th Amendments to the Constitution were followed by Jim Crow laws in the south.

Naked capitalism of the Gilded Age and its "efforts of unions and employers to gain advantages in their struggles,"[33] caused national debates over corporate power and the traditional vision of an agrarian society. During this period, American economic life shifted from being an agrarian society with small family farms to a manufacturing society of large corporations and masses of workers.[34]

Industrial growth was coupled with the rise in social inequality, large cities filled with "millions of new immigrants – many poor, ill-educated, not speaking English, unfamiliar with the nation's political institutions or heavily Protestant culture."[35] Darwin's theories of evolution gave currency to social Darwinism that was used to justify racial competition, eugenics, and imperialism.[36]

Threats to civic homogeneity brought citizenship and American identity to the forefront of national political debate. Political leaders, in response to fears and hopes that the tremendous changes of the era produced, found that they could gain support by promising "to guard Americans against the new dangers from within and without via policies of restriction, exclusion, and mandatory assimilation; and they defended all these measures by

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[31] Hatton, Timothy J., and Jeffrey G. Williamson, *Migration and the International Labor Market 1850-1939,* New York: Routledge, 1994, page 4.

[32] *Ibid.*

[33] Smith, *Op Cit,* page 348.

[34] Smith, *Op Cit,* page 349.

[35] *Ibid.*

[36] *Ibid,* pages 347-357.

appeal to newly elaborated ascriptive civic myths, some harsher, yet for many more compelling, than ever before."[37]

The influx of immigrants from southern and eastern Europe revived "classical republican concerns about the need for a virtuous, homogeneous citizenry to make self-governance work."[38] Poor, ill-educated immigrants were seen as unsuitable for republican institutions. Catholics, with their alleged allegiance to the Pope, were cast as "hostile to freedoms of conscience and expression, and to the proper roles of church and state" in the American (Protestant) republic.[39]

By the early 20th century, nativist calls for immigration restriction became a preeminent Progressive cause,[40] and restrictionist efforts were linked with other social and political issues of the day under the rubric of preserving the quality of American citizenship. Daniel Tichenor, in his book, *Dividing Lines*, writes:

"Significantly, immigration restrictionists understood well that the Progressive political landscape was crowded with competing issues and movements. Undaunted, they explicitly linked their cause to a host of other prominent reform impulses of the day. Restrictionists reminded prohibitionists and good-government reformers that new immigrants undermined temperance and fueled corrupt urban party machines."[41]

Their efforts first focused on passage of a literacy test for immigrants on the theory that such a test would screen out "undesirable" immigrants from southern and eastern Europe. When that test failed to accomplish its goal, restrictionist forces in Congress succeeded in implementing a national origins quota system in 1929 which limited immigration to 2% per year of each nationality already residing in the U.S. using 1890 Census figures. The measure was designed to have 84 percent of immigrants come from northern and western Europe and 16 percent from southern and eastern Europe. An Asiatic Barred Zone was created and there were provisions for gradual exclusion of Japanese immigrants.[42]

One important exception to the national origins quotas was the Bracero Program established in 1942 to permit temporary agricultural workers from Mexico, British Honduras (Belize), Barbados, and Jamaica. While explicitly not an immigration program, it did establish new channels for flows of migrants to the United States from Latin America and is seen as reinforcing already-present illegal immigration to the United States from the region[43] and laying the groundwork for the extent of today's illegal immigration.

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[37] *Ibid,* page 348.
[38] *Ibid,* page 353.
[39] *Ibid,* page 354.
[40] Tichenor, Daniel J., *Dividing Lines: The Politics of Immigration Control in America,* Princeton: Princeton University Press, 2002, page 114.
[41] *Ibid,* page 115.
[42] *Ibid,* pages 114-149.
[43] *Ibid,* pages 172-175.

Immigration debates in the Progressive Era were not over conceptions of the citizen or the rights that accrue to citizenship. The conception of citizen remained solidly liberal-individualist and rights were non-controversially seen as civil and political, rather than social.

Rather, restrictionists in the Progressive era succeeded in asserting explicit ascriptive limits to liberal-individualist citizenship in service of a fixed rather than malleable notion of national identity. The explicitly racist provisions of the national origins quota system remained in place until the 1960s which heralded the Great Society and the civil rights movement. Tichenor states that "… the demise of the national origins quota system came only at the zenith of the Great Society, when an extraordinary convergence of pro-immigration developments propelled an opening of the gates."[44]

Eugenicist arguments for literacy tests, Asian exclusion, and the racism of national origins quotas fell into intellectual disrepute due to their ties to Nazi racism, the heralding by academics and bureaucrats of the benefits of immigration to the economy, and the imperatives of Cold War politics that encouraged expansive immigration policies.[45]

Post Industrial Globalization and Immigration Today

There have been significant changes to the United States immigration system since the Progressive Era. The national origins quota system was abolished in 1965. Immigration laws are structured around family reunification, and provisions for economic immigration are limited. Because much of the impetus for immigration is economic, this has resulted in significant illegal immigration, especially of low-skill workers.

The 1986 Immigration Reform and Control Act granted amnesty to millions illegal immigrants, mostly from Mexico, and instituted (rarely enforced) employer sanctions for knowingly hiring illegal immigrants. Illegal immigration continues unabated in spite of increased efforts to control it.

Today rates of immigration are approaching those of the turn of the 20th century, and the vast majority of immigrants are from Latin America and Asia. The increased numbers combined with a shift in origins has resulted in a resurgence of debates about citizenship and national identity. According to Juan Perea:

> During the 1990s we are witnessing a resurgence of nativism, anti-immigrant sentiment in many respects like the nativism of the 1920s. Interestingly, far from celebrating the relative race neutrality in our laws after 1965, some current advocates of immigration restriction blame these same laws for what

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[44] *Ibid,* page 217.
[45] *Ibid.*

they perceive as a threatening and disunifying degree of racial and ethnic diversity in the country.[46]

Peter Brimelow argues that the increasing number of people of color in the United States is threatening to undermine American nationality.[47] The debate is still couched in terms of the tension between universalist and ascriptive notions of citizenship, but the debate today goes beyond this familiar tension as the following quote illustrates:

> "In the final decades of the 20th century … the United States' Anglo-Protestant culture and the creed that it produced came under assault by the popularity in intellectual and political circles of the doctrines of multiculturalism and diversity; the rise of group identities based on race, ethnicity, and gender over national identity; the impact of transnational cultural diasporas; the expanding number of immigrants with dual nationalities and dual loyalties; and the growing salience for U.S. intellectual, business, and political elites of cosmopolitan and transnational identities. The United States' national identity, like that of other nation-states, is challenged by the forces of globalization as well as the needs that globalization produces among people for smaller and more meaningful "blood and belief" identities."[48]

The reference to "group identities based on race, ethnicity, and gender" is ironic given the fact that these have explicitly been the dimensions on which citizenship and immigration have been denied. But Huntington is speaking to more than the specific character of ascriptive citizenship.

Understood in the context of current debates over extension of social rights, the specter of assigning those rights on the basis of group identity goes to the core of American notions of the citizen. In the context of group identity, the citizen is defined in communitarian rather than liberal-individualist terms and community is defined along ethnic, cultural, and racial terms rather than universalist adherence to a political ideal. Huntington is correct in arguing that the communitarian citizen is at odds with liberal-individualist.

But the ascriptive nature of American restrictions on citizenship has been a form of inverse communitarianism – denying a helping hand on the basis of group identity. Adapting national identity to include communitarian notions of the citizen will require confronting the historical hypocrisies, but Huntington's statement highlights the extent to which the American community of citizens has been limited. Expanding that community to include

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[46] Perea, Juan F. "Am I American or Not", in Pickus, Noah M.J. ed., *Immigration and Citizenship in the Twenty-First Century,* Lanham Maryland, Rowman & Littlefield Publishers, Inc., 1998, page 60.

[47] Brimelow, Peter, *Alien Nation,* New York: Random House, 1995.

[48] Huntington, Samuel, "The Hispanic Challenge", *Foreign Policy Magazine,* March/April 2004, found at: <www.foreignpolicy.com/story/cms.php?story_id=2495>.

non-whites and non-protestants is a prerequisite for real cohesion in the community of citizens.

Today's debate goes beyond the traditional tension between ascriptive and universalist rights in another way. That debate has also expanded to include discussion of the rights of non-citizen immigrants and is complicated by illegal immigration which reinforces nativist fears of being over-run by "the other". Changes in welfare legislation adopted in 1996 marked an increased role for states in determining access to public assistance for noncitizen immigrants.

While the federal government determines the entry and stay of immigrants, states play important roles in shaping incorporation of immigrants after entry.[49] Studies covering 1911-1977 have documented that laws excluding legal immigrant non-citizens from a long list of ordinary occupations were common, however; citizenship restrictions on professional and occupational licenses were virtually eliminated between 1977 and 1999.[50]

The U.S. Supreme Court upheld removal of U.S. citizenship requirements in licensed occupations and in public employment, and "the trajectory of court rulings stimulated a number of state attorneys general to issue advisory opinions against citizenship requirements even with respect to occupations that had not been before the courts."[51]

Rights of political participation for non-citizens also exist. Illinois and New York permit legal permanent residents to vote in local school board elections, and states are permissive in allowing appointments to commissions and boards. The Supreme Court has upheld the right of states to require citizenship of teachers and peace officers, but few states exercise this right with regard to teachers.[52]

Today's debates over citizenship, globalization, and immigration reflect familiar tensions in American political ideals. In contrast to the Progressive Era, that debate has expanded to include the ideas of a communitarian citizen and social rights.

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[49] Plascencia, Luis F.B., Gary P. Freeman, "The Decline of Barriers to Immigrant Economic and Political Rights in the American States: 1977-2001", *International Migration Review,* Vol 37:1, Spring 2003, page 5.

[50] *Ibid,* pages 6-11.

[51] *Ibid,* pages 13-14.

[52] *Ibid,* page 18-19.

Conclusion

The malleability of America's community of citizens is being tested. Meaningful expansion of that community to include diverse races, cultures, religions, and ethnicities – what some social scientists refer to as nationalist forces – is a work in process. In addition, social rights and communitarian citizenship are also very much in flux. The following quote speaks to the challenge to citizenship which globalization poses:

> What, if anything, connects nationalist politics to the spread of liberal democratic ideals and institutions? We need to answer that question in order to begin thinking about the extent to which nationalism and the nation-sate will survive the challenge of globalist theory and practice. For globalism relies heavily on the hegemony of liberal democratic ideologies, as well as on processes of cultural and economic integration. If liberal democratic ideals and institutions promote nationalist politics in some way, then the globalist challenge to the nation-state may undermine itself in at least one important way.[53]

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[53] Yack, Bernard, "Nationalism, Popular Sovereignty, and the Liberal Democratic State", in T.V. Paul, G. John Ikenberry, and John A. Hall, eds, *The Nation State in Question*, Princeton NJ: Princeton University Press, 2003, page 29.