

# Citizens and Aliens: Blurring the Line

By **CARL F. HOROWITZ**

As a policy wonk, I'm normally not given over to making grandiose, apocalyptic forecasts. That job I prefer to leave to others. Sometimes, however, an alarm bell is a necessary corrective to certain assumptions that have destructive consequences. Incremental recommendations, in other words, won't do. I am here to sound an alarm about a popular and highly misguided view of the nature of citizenship and its relationship to immigration — misguided enough to threaten our existence as a self-governing nation.

It has been argued, often and properly, that mass immigration, especially from countries whose cultures are virtually incompatible with our own, has produced negative consequences. What perhaps has gotten less attention is that advocacy of open borders is of a piece with advocacy of open citizenship. Citizenship, in this view, is a matter of moral right. In arguing why it isn't any such thing, I shall, first, provide an overview of the motives behind advocacy of open citizenship; second, cite a couple of its supporters; third, cite a few examples of how public policy is evolving to accommodate such advocacy; and fourth, explain why this campaign necessarily is corrosive.

Let us start with an assessment of motives. Why do people, whether as individuals or as groups, want to make citizenship in this country universally available to immigrants, even those living here illegally?

The best way to address this question is to understand that these people have a variety of motives, but work closely together in the context of interest group politics. The U.S. Chamber of Commerce, the AFL-CIO, and the National Council of La Raza are interest groups with different goals. Yet all are immigration boosters. As such, they share a common assumption

that the distinctions between legal and illegal residence, and between citizenship and non-citizenship, are insignificant. We live in a post-national world, they argue. Thus, our laws should reflect this.

Immigration enthusiasts apparently believe that guests in America's house should not have to feel like guests. That some of these newcomers might have motives akin to those of the Tsarnaev brothers is a risk we ought to take. As a nation of immigrants, residence should not be denied, save perhaps for extreme circumstances. Citizenship is a just reward.



Yet these advocates admit, grudgingly, that we're still a long way off from actual open citizenship. As a proxy, they seek to blur the lines between citizenship and non-citizenship. By granting non-citizens at least some of the rights reserved only to citizens, they eventually can achieve their goal of obliterating the line altogether. Law and policymaking are crucial tools in this quest.

This poses a monumental problem when advanced by people who can buy political influence. Consider the "comprehensive" Senate immigration bill, unveiled in April and passed in June by a 68-32 margin. This legislation, an all but official endorsement of open borders, didn't happen in a vacuum. It happened because people with enormous influence lobbied furiously. If the House passes something similar, the resulting compromise legislation will receive President Obama's signature.

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*Carl F. Horowitz is a project director with the National Legal and Policy Center, a Falls Church, Va.-based nonprofit group dedicated to promoting ethics in public life. He has a Ph.D. in urban planning and public policy. This article is a revised version of a talk before the H.L. Mencken Club's annual conference in Baltimore, November 1-3, 2013.*

The bill, formally known as the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013 (S.744), is highly unpopular. The eight hand-picked senators who drafted it — four of them Democratic and four of them Republican — anticipated this from the start. That’s why they held no hearings or debates. They even kept their fellow senators in the dark. Nothing was to derail the express train destined for mass amnesty and an immigration surge. On April 17, they formally introduced the 844-page behemoth, conveniently, between 2 AM and 3 AM, while everybody else in Washington was sleeping. Stealth was everything.

This “Gang of Eight” bill was tailored to meet the requests of a parade of business, labor, immigration, and nonprofit lobbyists, who though differing on the details, all shared the assumption that when it comes to immigration, more is better. Top staffers for Senators Charles Schumer (D-N.Y.) and John McCain (R-AZ) smoothed out the differences. The bill provided a disingenuous nod to “border protection” to win over doubters, but more importantly, it will double and possibly triple current immigration levels.

A key element in this campaign has been the aggressively repetitive and manipulative use of language. Every one of these interest groups has released scripted statements that read as if ghost-written by the same person. We need to provide a “path to citizenship.” That way, we can fix our “broken” immigration system and bring “undocumented” workers from “out of the shadows.” These publicity flaks know that people generally are gullible. By creating the appearance of an unstoppable bandwagon speaking high truths, they can win over the undecided. “Everybody” knows the importance of providing a path to citizenship for those here illegally. Such an assertion, when unchallenged, effectively becomes unchallengeable. And who could be against something as fair-minded as a path to citizenship?

President Barack Obama isn’t. He’s repeatedly spoken of the need for a path to citizenship. So did his immediate predecessor, George W. Bush. So do the U.S. Chamber of Commerce, the National Restaurant Association, the AFL-CIO, the Service Employees International Union, the National Council of La Raza, the Mexican-American Legal Defense and Educational Fund, and the National Council of Churches. Such people believe that obtaining citizenship ought to be no more complicated than taking a number at a fast food restaurant, patiently waiting in line, and responding for processing when one’s number is called.

Mass immigration enthusiasts see every newcomer, legally here or not, as having the makings of a good citizen. To them, arriving in America is a *de facto*

act of patriotism. Immigrants love America — why else would they have taken the time and trouble to come here? The circular logic of this Ellis Island sentimentality is irrefutable. It follows that since immigrants love us, we have an obligation to love them back.

Now I address the second aspect of my argument: specific people who argue for open citizenship. As someone who writes regularly about labor policy, I’ll give you the examples of the current and the previous U.S. Secretary of Labor, respectively, Thomas Perez and Hilda Solis.

Thomas Perez is not a liberal in the traditional sense of the term. He’s a multicultural radical, and a rather outspoken one at that. He demonstrated this on many occasions during the first term of the Obama administration, when he headed the U.S. Justice Department’s Civil Rights Division. And he showed it a few years earlier when he served as board president for a nonprofit legal and social services group called Casa de Maryland.

You should acquaint yourselves with Casa de Maryland. Now claiming about 40,000 members, the group was established in 1985 in Takoma Park, Maryland, back when that community passed the nation’s first sanctuary ordinance protecting illegal immigrants from official identification and deportation. Over the years, Casa de Maryland, now relocated to more spacious digs in Langley Park, Maryland, has received millions of dollars from Maryland state and local government agencies, plus millions more from philanthropies and churches. It even received a \$1.5 million grant a half-decade ago from CITGO, which for more than two decades has been a ward of the Venezuelan government.

Casa de Maryland has used this money to undermine legal distinctions between legal and illegal immigrants and to press for their citizenship. Among its dubious accomplishments, this group has: thwarted the coordination of federal, state, and local government security risk databases; secured legislation providing for college tuition discounts and driver’s licenses for illegal immigrants; established several day laborer centers (to accommodate “undocumented” workers) in Maryland; blocked deportation orders; and influenced President Obama’s decision in June 2012 to suspend deportations of at least 800,000 illegal aliens qualifying under the as-yet-passed DREAM Act, which since has been made part of the Senate immigration bill.

Perez headed this group for one reason: He believes in its mission. Moreover, he *loves* this country. That may seem a contradiction. But from his frame of reference, it isn’t. Not long ago he spoke reverentially of his Dominican immigrant parents: “The United States gave them opportunities even though this was their adopted homeland. They would tell me how much

they loved this country and how it was important for me to be involved.”

Yes, Thomas Perez’s love for America is real. But it’s the kind of love that views America as a global rainbow sanctuary rather than a nation with a historical identity. He loves our country, in other words, to the extent that our political system can render this identity extinct.

Perez’s predecessor, Hilda Solis, Obama’s first-term Labor Secretary, is cut from the same cloth. A vociferous second-generation Hispanic ethnic, she had been a four-term member of Congress from Southern California during the Bush years. And she had made known her support for amnesty for illegal immigrants well before. Back in 1996, as a California state senator, Solis remarked: “We are all Americans whether you are legalized or not.” It’s hard to imagine a more brazen rejection of citizenship as requiring a demonstration of competence. She still thinks this way, bursting with love for America and praising her parents as embodying the American Dream.



Perez and Solis are hardly alone. A great many public figures now embrace the principle that a foreign-born person, solely by virtue of arriving and living here, legally or not, loves this nation — and that love deserves a grant of permanent residence and citizenship. In their minds, citizenship does not require drawing distinctions between deserving and undeserving applicants. *All* who seek it deserve it. These advocates are the equivalent of a teacher who gives an “A” to every student simply for showing up. It’s grade inflation run amok.

If citizenship and non-citizenship ought to be divided by a clear bright line, we are in the process of dulling and blurring it. I’d now like to summarize a few examples of how public policy is evolving in this direction.

*First, extend voting rights to non-citizens.* There has been a movement in the U.S. since the early nineties, still small but growing, to grant noncitizens the right to

vote in local elections. If its leaders succeed, they will step up the campaign to the state and national levels. Indeed, they have admitted as much.

The justifications for granting voting rights, even on a limited scale, to non-citizens are unsound. But they appeal to a naïve audience moved by the prospect of realizing a universal “fairness.” Example: The City of Portland, Maine, in November 2010 held a ballot initiative over whether to grant voting rights to legal non-citizens in municipal elections. The measure lost, but only by a 51.5-48.5 percent margin, which should tell you this isn’t your father’s Maine. A spokesman for the group collecting petition signatures explained his support this way: “Legal immigrants are an important part of our community. They contribute a lot. They’re sending their kids to our schools. And they should be able to have a right to vote for say in the school committee.”

Our intrepid activist could not grasp that giving immigrants the right to vote effectively devalues votes cast by citizens. Apparently, that’s a consideration of only passing interest. What’s of central interest is that immigrants “contribute a lot.”

*Second, widen the grounds for dual citizenship.* Citizenship in theory is an either/or condition. One’s political loyalty can’t be divided among two or more sovereign entities. Our oath of citizenship requires a renunciation of all “allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen.” Yet these words don’t preclude an existing U.S. citizen from acquiring citizenship from another country. Nor do they put an American at risk of losing his status as a citizen. The Supreme Court in *Afroyim v. Rusk* (1967) ruled that the government cannot take away one’s American citizenship; renunciation must be voluntary.

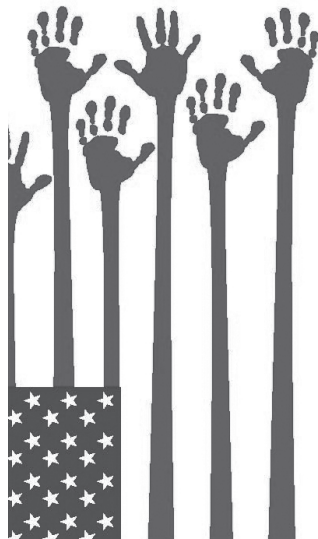
Now I will grant that under very limited circumstances, there is a case to be made for allowing dual citizenship. But the current window of opportunity is far too wide, especially considering the national origin of many citizenship seekers. Roughly 150 countries in the world, including Mexico and various Islamic nations, recognize dual citizenship with the U.S. Our government doesn’t keep statistics on the number of dual citizens. Now would be a good time to start doing so. Estimates in the post-9/11 era have ranged anywhere from around 500,000 to 6 million.

Magnifying the problem is that some dual citizens occupy high places in other countries. A cabinet member of former Mexican President Vicente Fox (2000-2006), Juan Hernandez, for example, is a Dallas-born U.S. citizen.

Mexico, remember, is by far the dominant sending nation to this country. And once upon a time, it actually discouraged dual U.S. citizenship. That no longer

is the case. In 1998, the Mexican government passed a law declaring that any person born in Mexico, or born to Mexican nationals wherever they reside or maintain citizenship, can claim Mexican citizenship. Several years later, that nation passed a law permitting absentee voting by non-citizens in Mexican elections. Large numbers of U.S. citizens now have the capacity to work for Mexican interests, in Mexico as well as here.

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In a guest opinion article for the *New York Times* (May 14, 2012), Center for Immigration Studies Executive Director Mark Krikorian distinguished between two types of dual citizenship: *passive* and *active*. The passive variety occurs “where an American is also considered a citizen by another country without the American having done anything to acquire that status.” This can happen, he says, “through birth to immigrant parents or refusal of a native country to recognize U.S. naturalization.” Such situations typically are benign because the American in question hasn’t taken any steps to affirm dual status. Active dual citizenship, however, is a different matter. In such situations, argues Krikorian, a per-

son is committing or seeking to commit “expatriating acts” such as voting in a foreign election or registering with a foreign government as a citizen — acts that formerly amounted to a renunciation of citizenship. This sort of divided loyalty, he rightly maintains, should be prohibited.

Our government, as I have stated, lacks the authority to strip someone of American citizenship. Yet it *can* ban expatriating acts, and in doing so, clarify certain limits of citizenship.

*Third, weaken the citizenship test.* The written test for lawful immigrants to obtain U.S. citizenship has become absurdly simple. Formally, it contains sections on civics and English-language proficiency. But getting around the requirements is not that hard. According to the U.S. Department of Homeland Security’s Citizenship and Immigration Services (USCIS), an applicant doesn’t have to learn English if he or she is at least age 50 and has lived legally in the U.S. for at least 20 years. One would think such an extended period of residence would provide ample time for learning our language. Apparently, our government assumes otherwise.

That’s hardly the end of it. An applicant can avoid having to take the English language and the civics portions by getting a medical disability exemption. Worse, USCIS has an unwritten rule of refusing to fail test takers beyond a certain proportion. Immigration Service officers who successfully weed out “too many” applicants with poor English-language skills — i.e., exceed their quota — face disciplinary action, including termination.

I shall summarize this presentation with my final point: *Open citizenship is not genuine citizenship.* Our country is no more exempt from the logic of this principle than any other country. Whether advocates of the process intend to devalue citizenship is a separate issue. The main issue is that the devaluation of citizenship, if carried to its conclusion, would end our ability to discern our own interests from those of other nations. It effectively would spell the end of the United States of America.

There is simply no way to reconcile a “come one, come all” conception of citizenship with the real thing. The campaign holding that America can promote easy citizenship and closely related mass immigration, all the while remaining a definable nation, is a delusion. It is our good fortune that we still have the time to stop this insidious campaign. ■

**“Americans are so enamored of equality, they would rather be equal in slavery than unequal in freedom.”**  
—Alexis de Tocqueville