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## INVALUABLE AND INSIGNIFICANT: A MEDITATION ON U.S. CITIZENSHIP

### ■ Gerda Bikales

*Gerda Bikales is a committed worker for immigration reform in the United States. Here she comments on developments in naturalisation law in her country, and ways in which the September 11 tragedy last year may affect these trends.*

The price of U.S. citizenship, counted in cold cash, has never been higher. Smugglers charge thousands of dollars to people all over the world desperate for a chance to live and work in America. A lucrative trade in counterfeit documents that allege a right to legal residence in the United States is flourishing. A fake 'green card' of good quality or a convincing American birth certificate can wipe out a poor family's lifetime savings. Immigration lawyers with the right connections rake in the money, irrespective of the economy's ups and downs.

While the legal right to live and work in America has become invaluable, the significance of U.S. citizenship has never been so devalued. Civics lessons, when they are taught at all in the schools, emphasize individual rights and the technical skills of exercising citizenship: how to lobby, how to cast a vote, how to run for office. Tolerance of differences is constantly drilled into the students, but scant attention is paid to the cultivation of other civic virtues, such as civility, neighborliness, personal responsibility, and regard for the public good.

Three decades of unprecedented immigration<sup>1</sup> has left America with a huge and rapidly growing non-citizen population. Its advocates call for non-citizen voting, the right of non-citizens to hold any U.S. government job, and for dissociating citizenship from any requirement to demonstrate a

knowledge of basic English and U.S. history. Objections have been voiced to the mandatory 'Oath of Allegiance to the United States' that culminates the naturalization process, for it compels the would-be citizen to renounce all former national loyalties. The push for the gradual eradication of all distinctions between citizens and non-citizens has been ongoing for many years, and has not fallen on deaf ears — more than one public figure urging another amnesty for the estimated nine to 11 million illegal immigrants living in America has referred to them as 'good citizens' who merely need an adjustment of status.

The United States, a nation of immigrants, has been concerned about the terms of formal entry into American society since its founding. The Declaration of Independence, adopted by the thirteen British colonies in 1776, listed among its grievances against the King that 'He has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws of Naturalization of Foreigners'. The democratic republic envisioned by the Founding Fathers was to offer immigrants full membership in the polity through an orderly process, one that would not discourage newcomers by imposing burdensome rules yet would assure Americans that their naturalized fellow-citizens were of good character and loyal to their new country.

## **THE REQUIREMENTS FOR NATURALIZATION**

Over the centuries since the promulgation of the first naturalization law in 1790, these laws have undergone periodic changes. The overarching goal of naturalization, however, has remained much the same: to allow immigrants relatively easy entry into American public life, on an equal footing with its native-born citizens, while screening out those blatantly unsuited for this honour.

Current law specifies that applicants for U.S. citizenship must:

- be at least 18 years old.
- have been lawfully admitted to the U.S. for permanent residence.
- have lived in the country for at least five years as lawful residents, with no single absence from the United States of more than one year. This requirement can be eased for spouses of U.S. citizens and for veterans of the U.S. Armed Forces.
- must have lived at least three months in the state of their current residence.
- be of good moral character, which in practice means having no convictions for aggravated felonies.
- demonstrate a knowledge of basic English, U.S. history and the fundamentals of U.S. government. Applicants over 50 with a history of long residence in the country are excused from the language examination, and can take the history and government test in the language of their choice. Long-term residents over 65 or persons with physical and mental impairments can also bypass the history/government tests.
- swear an Oath of Allegiance to the United States, affirming support for the Constitution, renunciation of foreign allegiances and foreign titles, and affirming willingness to bear arms

or serve the government of the United States in other capacities. Pacifists and other objectors to military service can take a modified pledge omitting this obligation.

Candidates must be fingerprinted before the application is processed, and pay an application fee of \$250.

## **NATURALIZATION LAWS IN THEIR APPLICATION**

On the face of it, the rules governing naturalization today appear to be a reasonable compromise between the twin goals of simple access to citizenship and removal of aspirants likely to be a detrimental addition to the American polity. In practice, however, the requirements fall short and contribute to the devaluation of American citizenship.

Exceptions to the English language test once deemed essential for naturalization have spawned citizens unable to exercise the voting franchise inherent in citizenship, and produced federal legislation mandating ballots and other election materials in numerous foreign languages. Serving in elective office is another right of citizenship that has been informally extended to non-English speakers, some of whom have held posts in municipal councils and boards of education.

The press of very large numbers has changed the nature and emotional context of the once small and dignified naturalization ceremonies, held in a court house setting. Nowadays, they take place in such venues as football stadia and movie houses, with hundreds and even thousands of people taking the Oath of Allegiance together. Increasingly, this solemn ceremony of commitment to the new homeland is conducted in Spanish, as the new citizens are unable to follow in English.

The relaxation of language requirements has been accompanied by liberal

interpretations of what constitutes good moral character. Two U.S. citizen witnesses were once required to vouch for the character of the applicant, but that prerequisite has long been abandoned. With so many immigrants seeking citizenship, background checks are superficial, despite the well-known fact that 25 per cent of the inmates in federal prisons are foreign born.<sup>2</sup> Short of conviction for aggravated felony, criminal activity in the home country or in America is rarely deemed a bar to naturalization.

Finally, there is the newly recast phenomenon of dual and multiple citizenships, which raises deep uncertainty about the meaning of acquired American 'citizenship'. As a nation of immigrants from every land, the United States has always been reluctant to define itself narrowly. It accepted that some Americans passively hold dual citizenship, because their country of birth may still consider them nationals. In the last few years, many sending countries<sup>3</sup> have capitalized on this tacit acceptance, determined to exploit their large diasporas in America as a valuable political asset. Mexico, in particular — the country consistently contributing the largest bloc of immigrants to America — has officially reversed its rejection of naturalized Mexican-Americans. Mexico now encourages its emigrants to naturalize, allows them to keep their original citizenship, and aggressively cultivates close ties with this community. Such unilateral decisions by the sending countries have greatly multiplied the number of dual citizens in America and attenuated their need to develop an emotional American identity to match their legal one.

For Mexico, their eight million expatriates in the United States, added to the millions of native-born Americans of

Mexican background, represent a source of impressive political influence that can be harnessed to lobby for Mexico's agenda. Naturalization will further enhance the voting power of this pressure group, especially in California and Texas where it is concentrated, and where no politician can ignore it. American citizenship also eases the way to still greater Mexican immigration — the primary objective of Mexico's political leadership — as citizens can petition for visas for relatives and advocate more effectively for legalization of their illegal countrymen.

It must be said that newcomers are not the only ones acquiring dual nationalities. Native-born Americans and citizens naturalized for decades are also choosing to add other citizenships to their American one. The reasons vary — a show of solidarity was the motive of a group of prominent African-American leaders who very publicly accepted citizenship from several African countries in the early nineties. Others have sought foreign citizenship to avoid taxes or for financial scrutiny. Most disturbing, perhaps, has been the rash of naturalized and second-generation Americans who have capitalized on their prestige as successful Americans to seek high office in their country of origin. In the seventies, naturalized American George Papandreas returned to Greece to head that government. The fall of Communism opened many opportunities for naturalized and second generation Americans, most notably for Serbian-born millionaire Milan Panic who became Prime Minister of Serbia and then ran for President, losing to Slobodan Milosovic, and for California-born Raffi Hovannisian, who became Foreign Minister of newly independent Armenia. The U.S. State Department, far from challeng-

ing the legality of these career moves, looked the other way.

Clearly, the Oath of Allegiance to the United States is proving to be meaningless. For many, citizenship in America is perceived as merely a useful and convenient commodity. It protects against deportation, no matter what the offence committed. It assures eligibility for public assistance, at a time when new laws have placed restrictions on welfare programs for aliens. It makes few claims on one's emotions or commitments. It is not a determinant that guides one's actions, nor is it an affective link to a unique history and destiny. It can be diluted, divided, mixed, or ignored. Citizenship is not an indelible mark of identity — it is a relative attribute, to suit the circumstances of the moment.

#### **A CHANGED CULTURE**

These trends reflect America's long retreat from assimilation to any national norm, characterized by such policies as bilingual education and the teaching of revisionist versions of American history in which the United States is eternally guilty of racism, sexism and other crimes. The core values that had united a very diverse people have withered from neglect, while rival cultural modes are celebrated. The net effect of steadily elevating diversity at the expense of national cohesion has been a faltering cultural center and the ascent of an incoherent ethos in which it is ever more difficult to find one's American persona. A generation ago, the five years of residence in America required for U.S. citizenship may have been sufficient to gather a beginning understanding of American society. A much longer stay in America is needed to comprehend the country as it is today, even at an elementary level. The five year rule still in place

is begetting a cadre of culturally disoriented citizens.

#### **SEPTEMBER 11 AND ITS AFTERMATH**

In the wake of the terrorist attacks upon the symbols of America's economic and military power, the American people rediscovered a forgotten emotion: patriotism. They looked at their wounded country with new eyes, and saw that it was full of strangers, some with documents attesting to their American citizenship. They had not paid attention while the multitudes streamed in through unguarded borders, stayed on through permissive immigration law enforcement, and sometimes became citizens through a toothless naturalization process. But now they asked: how did it happen? How could so many who wish America ill have lived undisturbed among them, enrolled in sensitive engineering studies and in flight schools? Despite assurances from President Bush and other officials that Americans who share some religious, ethnic and cultural bonds with the terrorists are innocent fellow-citizens, despite media campaigns promoting the 'America means diversity' theme, despite school assignments on the spiritual qualities of Islam, the fear of a fifth column lingers on. The announcement that 100,000 deportable aliens from the Middle East are at-large somewhere in the U.S. has not been reassuring.

The public's sense of danger and suspicion has translated into popular disapproval of American immigration policies. It has stalled plans for another massive amnesty for illegal aliens. Some reforms have been instituted, such as a U.S. citizenship requirement for airport personnel and the closer monitoring of foreign students. Possibly, other measures will follow.

To reduce the distrust and estrangement that has come between members of the American polity, it is also essential to reform the naturalization process. Ending dual citizenship by enforcing the Oath of Loyalty to the United States, restoring English language tests for all, requiring

two U.S.-citizen witnesses to vouch for an applicant's character, and lengthening the residency requirement are highly symbolic but also practical ways to restore meaning to American citizenship and confidence in one's fellow-citizens.

### References

- <sup>1</sup> Between 1970 and 2000, the number of immigrants in the U.S. has more than tripled — from 9.6 million to 28.4 million.
- <sup>2</sup> Estimate used by former Attorney General Janet Reno. No estimate is available for inmates in state and local prisons.
- <sup>3</sup> There are currently 89 countries world-wide that allow some form of multiple citizenship. Stanley A. Renshon, in *Dual Citizenship and American National Identity*, Center for American Immigration Studies, Washington, DC. October 2001.