



How The United States Can Support Immigrants En Route to Citizenship

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For the last decade, U.S. federal immigration policy has focused on enforcement and anti-terrorism. Indeed, an anti-immigrant thrust undergirds many of the major domestic policies of the last thirty years – from the tough on crime initiatives of the 1980s, to the welfare and work reforms of the 1990s and the anti-terrorism efforts following September 11, 2001. Most recently, powerful political forces have pushed ethno-nationalism as a strategy for magnifying American power. Beyond so many tendencies to reject immigrants are the underappreciated roles immigration policy can play in integrating immigrants rather than excluding and deporting them.

Members or Not?

Compared to U.S. citizens, immigrants hold statuses far short of full membership in U.S. society. For many, membership is circumscribed by their legal status as noncitizens. There also social, economic, and political barriers to full membership, even for naturalized citizens. Many immigrants, including naturalized citizens, struggle with access to language instruction, face economic barriers in the workplace, and find themselves without a political voice or vote. Increasingly, many fear brushes with law enforcement or immigration authorities that may lead to detention or deportation.

U.S. immigration law, unfortunately, tends to draw boundaries and exclusions. Noncitizens sit outside the circle of membership, and in many areas the laws are not obligated to afford them the equality or fair treatment due to citizens. Rather than seeing immigrants as individuals who are, at present, partial members of the U.S. community, and in many instances moving toward possible full citizenship in the future, U.S. authorities tend to regard immigrants as the responsibility of someone else, somewhere else.

The Spectrum of Citizenship Statuses

The conventional divide between citizens and noncitizens obscures the detailed complexity of citizenship rules. U.S. laws provide for a spectrum of lawful statuses. Temporary visa holders include as international students and scholars. Legal permanent residents, also known as “green card holders,” include legal immigrants and some people who gained this status by virtue of asylum or military service. Finally, there are naturalized citizens and U.S.-born citizens. U.S. immigration law provides twilight statuses as well, for example differentiating wholly unauthorized immigrants and recipients of Deferred Action for Childhood Arrivals status, who have conditional permission to reside in the United States.

These legal statuses can be overlapping and fluid, with a single person shifting over time from twilight to temporary or permanent status. Programs and agencies that try to divide rights according to binary of citizens versus everyone else are, in effect, collapsing the full range of statuses, and such endeavors limit everyone’s sense of what is owed to people along the pathway to citizenship. Many of them, ranging from permanent residents to Deferred Action recipients, already live lives indistinguishable from U.S. citizens and may be just an official stamp or a bit of pending paperwork away from becoming citizens. When the fluid status continuum is artificially subdivided, people’s ability to secure – and prove – full formal citizenship becomes the only door to full membership in U.S. society. The citizenship divide poses a structural barrier that is not easily overcome by individual or voluntary efforts to promote American ways of life.

Promoting Membership

Public institutions and civic efforts can smooth routes for many more immigrants to become full citizens. Even though formal citizenship brings many rights and benefits, only about half of legal U.S. residents who are eligible to apply ever attain citizenship. Immigration and citizenship law favors a laissez faire approach toward making new citizens, relying on voluntary and ad hoc efforts by the newcomers and the private agencies helping them, rather than assigning clear public responsibilities. Within existing U.S. law, clearly marked pathways toward full citizenship are currently available for legal refugees and noncitizens in the military. Beyond that, U.S. private groups and some public agencies have long offered immigrants ways to more fully participate in American society without formal citizenship – through efforts such as teaching language and job skills, providing civic and cultural education, and cultivating community ties.

Integration is also sensitive to the political climate. A hostile climate can undermine even formal citizenship, because naturalized citizens (such as those stopped by police or viewed with suspicion by a teacher) may be mistaken for co-ethnics who are not citizens. Immigrants may become fearful of government officials and retreat to the shadows, especially when families include members lacking authorized status. Even legal residents with the wherewithal to acquire citizenship can lose the sense that they “belong,” withdraw from community ties, and abandon plans to seek formal citizenship.

Local governments, nonprofit organizations, and the private sector are critical supporters for immigrants, but their best efforts can be undercut by hostile federal laws and procedures. In the past, the importance of encouraging citizenship has been evidenced by the traditionally high rate of naturalization for refugees and servicemen, compared to lagging applications for those left to pursue citizenship on their own. Unfortunately, affirmative support for refugees and immigrant servicemen to become citizens is now declining and naturalization for others is becoming more elusive.

Welcoming Paths for Neighbors Becoming Citizens

There is a certain irony in current calls for the federal government to “solve the immigration issue” and do more to integrate eligible immigrants. It is the federal government’s responsibility to maintain the nation’s sovereignty and to define the terms of membership. In recent decades, national officials have been relentlessly focused on enforcement rather than integration. Federal attention has been riveted on refugee terrorists, criminal aliens, and violators of immigration rules governing workplaces and public benefits. Rather than seeing the smooth integration of newcomers as part of its responsibility to immigrants and society, the U.S. federal government prioritizes enforcement and exclusion and presumes a division of labor that forfeits its role.

An improved national immigration strategy would authorize all levels of government to value new arrivals and balance border enforcement with measures to foster social integration. Reformed policies should treat newcomers as future citizens and support them as they participate in their communities and take steps toward becoming formal citizens. National efforts should be linked to local and voluntary efforts to ensure a welcoming, constructive climate for those who want to be full participants in all aspects of American life.

Read more in Ming Hsu Chen, *Pursuing Citizenship in the Enforcement Era*, (Stanford University Press, 2020).