

New York's State Citizenship Initiative Cheapens U.S. Citizenship

Ted Ruthizer

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The New York Is Home Act, which would grant about three million noncitizens living in New York a broad range of rights, like voting in state and local elections and the ability to serve on juries, is a flawed bill. Unprecedented in its scope of granting rights normally reserved to citizens to all noncitizens, including those lacking a lawful immigration status, the bill only requires three years as a tax-paying resident of New York State.

The bill is defective for several reasons. First, by extending the franchise to all noncitizens living in New York, it would cheapen citizenship. As a matter of strong public policy, we should want to encourage more persons to become lawful permanent residents by making it easier to qualify for this status. And once these residents have achieved several years in that status, we should encourage more to naturalize as U.S. citizens. After all, naturalization should be a meaningful act. Federal law requires persons seeking to be naturalized to be attached to the principles of the Constitution, to demonstrate knowledge of U.S. history and government, and to swear an oath of allegiance to the United States. These requirements encourage the concept of an informed citizenry who will take its responsibilities to vote and perform jury duty seriously.

It's true that for much of the 19th and the early part of the 20th centuries some states and local governments allowed for voting by noncitizens in state and local elections. But it has been almost 90 years since the last state allowed for such practices. And in none of those states was the franchise or jury service extended to persons without any lawful

status. The New York bill would destroy any distinction between lawful and unauthorized immigrants and treat both on the same footing — as U.S. citizens.

This leads me to the second reason why the bill is a bad idea — it would strengthen the hand of immigration restrictionists. They would seize on it to attack more modest approaches to grant rights for undocumented people at the state and local levels. Most immigration advocates, including me, want to see a broad legalization that would permit the millions already living, working and raising families in the country to gain a lawful status here. But we don't advance that cause by pretending that legalities don't matter, and that someone should be rewarded with the rights to vote and serve on juries merely because they have been present for a certain number of years. Rather, we set back the cause of comprehensive immigration reform with this clumsy approach.

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