

Reimagining Democracy: Expanding US Voting Rights beyond Citizenship

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Abstract

In this brief Conversations essay, I trace how immigrant suffrage in the United States deteriorated in the 19th century and argue that the US should move toward creating a pathway for noncitizen voting for two reasons—a more representative democracy and for a smoother assimilation process into American culture. Noncitizens contribute economically and socially to their communities, and they often have the same investment in their community's welfare as citizens. Expanding voting rights to noncitizens, even if only at the local-level, would give them a voice in decisions that affect their everyday lives.

Keywords: American Politics; Citizenship; Democracy; Immigration; US Elections; Voting Rights

Introduction

How did voting rights in the United States come to be associated with citizenship? In this brief Conversations essay, I trace how immigrant suffrage deteriorated in the 19th century and argue that the US should move toward creating a pathway for noncitizen voting for two reasons—a more representative democracy and a smoother assimilation process into American culture.

I focus specifically on the US because of its unique history of expanding voting rights to different groups and its evolving definition of who constitutes a citizen. The US emphasis on federalism and state-level control over voting laws also creates opportunities for experimenting with noncitizen voting in local elections. Some cities, such as San Francisco, allow noncitizens to vote in certain local elections, which shows that this is not unprecedented within the US context. With voting being tied to citizenship status, the right to vote is often seen as a symbol of full membership in US society. But this view can be

limiting when considering the millions of noncitizens who contribute economically, culturally, and socially to their communities.

Naturalization alone also does not ensure complete assimilation into society. Views of what a desirable immigrant should look like have changed over the years in line with federal immigration policy, to the extent that, even if an immigrant were to be naturalized, that would not necessarily mean that they would be fully integrated into American society. A crucial gap exists between being legal and being socially legitimate. The ability to vote is a critical marker of social legitimacy. Voting is not just about selecting leaders; it is about being recognized as a member of the political community. The act of voting is a form of empowerment—it allows people to have a say in decisions that affect their lives, reinforcing the democratic process by more amply reflecting the will of the people.

For many racial and gender minorities, voting was the first step toward political equality, as well as a significant part of the integration process in U.S. society. Granting minority groups the right to vote gave them enough political power for their unique concerns to be heard, which ultimately impacted everything from state health and safety ordinances to personal perspectives on equality and race. For noncitizen residents who currently have no means of defending their interests in the political sphere, issues will only continue to be sidelined. This is especially significant in today's globalized world. The number of noncitizens in the U.S. only continues to grow (Frey 2020). Adjusting procedures of inclusion to the rapidly changing demography is necessary as the world becomes more interconnected.

An Overview of Noncitizen Suffrage

Contrary to popular belief, voting rights in the US have not always been associated with citizenship. In line with this, democratic participation in the US has been both an expansive and restrictive process. Looking at the history of immigrant voting rights offers a more nuanced view of suffrage and restrictions on political participation. Immigrant voting—specifically for white, male aliens—in the late 1700s was not controversial, rather it was a prominent part of America's nation-building process (Kogan 2013; Raskin 1993). During a time when states were regarded as sovereign political entities, certain noncitizens were freely allowed to participate in elections in recognition of their presence within the state. Rather than citizenship, voting rights were instead tied to gender, race, and wealth (property ownership). Ohio's 1802 Constitution provides a classic example by extending the right to vote to “white male persons, above the age of twenty-one years, who are compelled to labor on the roads of their respective townships or counties, and who have resided one

year in the state, from having the right of an elector” (Ohio Constitutional Convention of 1802 2004). Congress also promoted noncitizen voting rights through the enactment of the Northwest Ordinance of 1787, which granted noncitizens who met certain residency requirements the right to vote in local elections or serve in state legislatures.

The War of 1812, however, sparked anti-immigrant sentiment and eventually instigated the reversal of immigrant suffrage. Some states that had initially allowed noncitizens to vote “revoked the practice [by] changing the [state] constitutional definition of voters from *inhabitants* to *citizens*” (Raskin 1993). Shortly after the War of 1812, support for immigrant voting rights further decreased when the movement to abolish property requirements gained prominence. States that granted property-owning noncitizens the right to vote would suddenly be faced with a large immigrant electorate made up of those who had initially been deemed undeserving of the ballot. At the same time, increased immigration from Western Europe caused a shift in the demographics of the US and may have spurred feelings of racial or economic threat from the dominant group. Growing concerns about the assimilability of newly arrived Irish and German immigrants alarmed citizens (Hayduk 2006), which contributed to the increased salience of immigrant suffrage.

In an effort to maintain some semblance of control over the larger electorate, states began to add other qualifications to vote—including citizenship (Hayduk 2006). Meanwhile, nativist sentiment against the waves of incoming immigrants continued to grow across the country. In the 1850s, the Know-Nothing Party blatantly denounced foreigners and immigrant suffrage. The party called for extreme changes to naturalization laws that would prevent immigrants from naturalizing until after twenty-one years of residence (Hewitt 1935). Granting certain immigrants voting rights was no longer viewed as a basic tenet of democratic government. Instead, the political participation of noncitizens even in local elections became a contentious issue that would go on to play a significant role during the Civil War. Northern states believed in expanding the political clout of immigrants, while Southern states believed in restricting it due to the general hostility of incoming immigrants to slavery (Murdock 1980). When the Civil War began, the Union drafted noncitizens into the army on the basis that they had expressed their intent to naturalize because they had voted in a prior election (Hayduk 2006; Raskin 1993).

Rapid industrialization coupled with massive influxes of immigrants in the years following the Civil War generated heated debates about the impact of immigrants on all aspects of social and civic life (Parker 2015). Anti-immigration sentiment grew in tandem with notions of eugenics and moral superiority (Ngai 2004). Nativists disseminated false

stereotypes of immigrants that endure to this day, such as their inability to fully integrate into American society, their affinity for committing criminal acts, and the economic threat they pose to American blue-collar workers in the labor market. The numerous political and cultural conflicts in which immigrants became entangled as a result of dramatic demographic changes eventually led to the enactment of exclusionary immigration laws that limited their entrance into the country, their civic participation through methods like literacy requirements, and even their ability to naturalize.

Immigrant suffrage was completely eradicated in 1926. Exclusionary immigration policies, however, have continued to evolve throughout the years, affecting trajectories of racial formation by consistently reshaping the concept of illegality and redefining public perceptions of who an immigrant ought to be or look like (Parker 2015; Pedron, 2021). Today, noncitizens can only vote in select municipalities. But this important link between citizenship and voting also eventually resulted in voter ID laws diffusing across the country with little controversy or partisan divide (Ramirez and Peterson 2020), despite these laws potentially being antidemocratic since they are more likely to disenfranchise voters than prevent illegal voting (Ansolabehere and Persily 2008; Kogan 2013; Overton 2017; Stewart III, Ansolabehere, and Persily 2016).

Separate Voting from Citizenship

Illegality is a fluid concept that evolves in line with public opinion and federal and state immigration policy (Pedron 2021). There is a stark contrast between the prevailing narrative that the US is a champion of democratic principles and the harsh reality of its historical treatment of immigrants. Through federal law, the US emphasized the importance of race in matters related to citizenship up until the early 1950s. This ultimately played a hand in shaping the social identities of many Americans today. Furthermore, the limited categories of noncitizens that were granted voting rights in select states were slowly stripped of them following changes in property-owning requirements.

Decades of false political rhetoric suggests that immigrants all come from a far-away place (Parker 2015). But generations of immigrants are born and raised in the US, and by equating being a property-owning, white male with citizenship and suffrage, the US ostracized even people within its borders. Since the US was founded, citizens have excluded different groups of people from civic participation based on the color of their skin, their gender, and even their political leanings. But the relationship between voting rights and race, gender, or citizenship is not intrinsic. Codified political biases from the past continue to

affect the electoral system to this day, disenfranchising noncitizen residents from broader society and undermining their right to have a say in who represents them. Recent research has also shown that if citizens perceive racial minorities and immigrants as typical perpetrators of casting illegal ballots, they are more likely to believe in voter fraud and its prevalence (Udani, Manion, and Kimball 2024). This highlights the deep relationship between citizenship, voting rights, and social legitimacy—with certain groups being viewed as more or less worthy of civic participation. When misperceptions about certain groups of noncitizens voting illegally reshape public opinion, it could potentially affect the experiences of minority groups who share the same physical characteristics as those disfavored noncitizens (Pedron 2026).

Owing to the political exclusion of noncitizens, the current electorate is demographically skewed. Immigrants shape the local communities in which they reside and play an increasingly important role in the types of policies enacted by states. Their lack of political power, therefore, exacerbates inequality at all levels because, without the power to vote, the interests and concerns of noncitizens are often neglected by policymakers. Voting is not merely an outcome of successful integration into society, but a means of engaging with the government and community. It is a form of empowerment and a crucial factor in assimilation and community membership (Harper-Ho 2000). While naturalization has long been considered the formal pathway to civic participation, it is a time-consuming and costly process that often takes years, sometimes decades, for immigrants to achieve. By the time they become citizens, most immigrants have spent a large portion of their lives in the country, contributing economically and socially, yet have no political voice in their communities—and become conditioned to not having one. Expanding voting rights to noncitizens, even if only at the local level, could help with this lag in political integration so that noncitizens might have a say in important decisions that affect their everyday lives, such as school board elections or public safety and housing regulations.

The acquisition of voting rights has been a pivotal moment for every minority group in the US because it is a key step to achieving social and political equality. Demographic changes in the electorate can have immense implications in terms of election outcomes because of how they fundamentally alter electoral cleavages over time (Gethin, Martinez-Toledano, and Piketty 2022). Immigrants are here to stay, and projections by the US Census Bureau (2024) show that their numbers will only continue to grow in the coming years. The question at this stage is not whether the majority of noncitizens will become a part of the US electorate, but rather when and how they will be. Legal immigrants who come to the US with

the intent to naturalize occupy a liminal space, where they must grapple with being a noncitizen and having no influence over the representatives of the state in which they reside. Granting local voting rights to legal immigrants could facilitate their assimilation into US society and encourage the future political participation of succeeding generations. Additionally, it could improve the voter participation rates of naturalized citizens, as well as improve multicultural communication among the diverse groups residing in the US today.

The upcoming 2024 US presidential election presents an important backdrop for my argument in favor of expanding voting rights to noncitizens. Immigration is an intensely polarizing issue, and the exclusion of millions of noncitizens, who contribute economically and socially to their communities, from participating in elections exposes a glaring gap in democratic representation. The stakes are particularly high given ongoing controversies around voter suppression, election fraud (at all levels of government), and restrictive immigration reforms. For a concrete example of these ongoing controversies, former US President Donald Trump has stated that millions of immigrants illegally voted in the 2016 and 2020 elections, which resulted in him losing the election or, in the 2016 case, losing the popular vote (Bernard 2024; Seelye 2017). This kind of discourse further marginalizes noncitizens, increases public distrust in both noncitizens and the electoral process, and cements the idea that citizenship is the only legitimate basis for political participation.

As the US defined and redefined what it meant to be an American, it also clarified what it meant to be an outsider. Given the heated arguments that constantly surround topics related to US immigration, “citizen” was and continues to be a powerful word. It invokes a sense of identity and highlights certain civic responsibilities and privileges. Similarly, the word noncitizen is powerful in a different way. It denotes foreignness and a stark *lack* of political rights that can disenfranchise immigrants from broader society. But noncitizens often have the same investment in their community’s welfare as citizens (Harper-Ho 2000), and like other members of the community, they are more likely to become active political participants when given the opportunity to participate directly in common social and political activities. This overt connection to public life could be game-changing for immigrants uncertain about their future place in American society.

As a nation built by immigrants, the US should create a pathway for voting for the millions of noncitizens residing within the country today to have a say in how they are governed—even if only at the local level given how immigrants contribute to their local communities (including, paying taxes). Doing so would not only bolster democratic life and boost prospects of progressive legislation, but also send a striking message of inclusion to

other nation-states (Abrahamian 2021). Expanding suffrage to noncitizens will not fully resolve deeper systemic issues related to representation or the distribution of political power, but the current alternative of waiting for drawn-out naturalization processes before extending the right to vote offers little to no progress toward a more inclusive democracy. By incorporating these newcomers into the democratic process, we can make government more representative and accountable.

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References

- Abrahamian, Atossa. 2021. "There is No Good Reason You Should Have to Be a Citizen to Vote." *New York Times*. <https://www.nytimes.com/2021/07/28/opinion/noncitizen-voting-us-elections.html>.
- Ansolabehere, Stephen. and Persily, Nathaniel. 2008. "Vote Fraud in the Eye of the Beholder: The Role of Public Opinion in the Challenge to Voter Identification Requirements." *Harvard Law Review*, vol. 121 (7): 1737–1774.
- Bernard, Katie. 2024. "If Trump loses in November, GOP may blame inflated concerns about noncitizen voting—like Pa. mail ballots in 2020." *The Philadelphia Inquirer*. <https://www.inquirer.com/politics/non-citizen-voting-claims-presidential-election-20240924.html>.
- Frey, William. 2020. "The nation is diversifying even faster than predicted, according to new census data." *Brookings Institute*. <https://www.brookings.edu/research/new-census-data-shows-the-nation-is-diversifying-even-faster-than-predicted>.
- Gethin, Amory, Martinez-Toledano, Clara, and Piketty, Thomas. 2022. "Brahmin Left Versus Merchant Right: Changing Political Cleavages in 21 Western Democracies, 1947-2020." *Quarterly Journal of Economics*, vol. 137 (1): 1–48. <https://doi.org/10.1093/qje/qjab036>
- Harper-Ho, Virginia. 2000. "Noncitizen Voting Rights: The History, the Law, and Current Prospects for Change." *Law and Inequality*, vol. 18 (2): 271-322.
- Hayduk, Ron. 2006. *Democracy For All: Restoring Immigrant Voting Rights in the United States*. New York and London: Routledge.
- Hewitt, Warren. 1935. "The Know Nothing Party in Pennsylvania." *Pennsylvania History: A Journal of Mid-Atlantic Studies*, vol. 2 (2): 69-85.
- Kogan, Vladimir. 2013. "The Politics of Voting Rights: Immigrant Suffrage in the 19th Century." *Paper prepared for the Annual Meeting of the American Political Science Association* (August 29 to September 1, 2013). Chicago, Illinois.
- Murdock, Eugene. 1980. *One Million Men: The Civil War Draft in the North*. Revised Edition: Praeger.

- Ngai, M. 2004. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton, NJ: Princeton University Press.
- Ohio Constitution Convention of 1802. 2004. "Constitution of Ohio, 1802." *Cleveland State Law Review*, vol. 51 (3): 665-685.
- Overton, Spencer. 2007. "Voter Identification." *Michigan Law Review*, vol. 105 (4): 631-681.
- Parker, Kunal. 2015. *Making Foreigners: Immigration and Citizenship Law in America, 1600- 2000*. New York: Cambridge University Press.
- Pedron, Stephanie Mae. 2021. "Collective (Mis)Representation of U.S. Immigration Laws." *Migration Letters*, vol. 18 (5): 519-532.
- Pedron, Stephanie Mae. 2026. "Negative Public Opinion: How Normalized Out-Group Biases Shape Politics." Unpublished PhD diss., The Ohio State University, expected 2026.
- Ramirez, Mark, and Peterson, David. 2020. *Ignored racism: White Animus toward Latinos*. New York: Cambridge University Press.
- Raskin, Jamin B. 1993. "Legal Aliens, Local Citizens: The Historical, Constitutional and Theoretical Meanings of Alien Suffrage." *University of Pennsylvania Law Review*, vol. 141 (4): 1391-1470. <https://doi.org/10.2307/3312345>.
- Seelye, Katharine. 2017. "Voter Fraud in New Hampshire? Trump Has No Proof and Many Skeptics." *The New York Times*. <https://www.nytimes.com/2017/02/13/us/voter-fraud-new-hampshire-gop.html>.
- Stewart III, Charles, Ansolabehere, Stephen, and Persily, Nathaniel. 2016. "Revisiting Public Opinion on Voter Identification and Voter Fraud in an Era of Increasing Partisan Polarization." *Stanford Law Review*, vol. 68: 1455-1489.
- U.S. Census Bureau. 2024. "The Foreign-Born Population in the United States: 2022." *U.S Census Bureau*. <https://www.census.gov/library/publications/2024/acs/acsbr-019.html>.
- Udani, Adriano, Manion, Anita, and Kimball, David. 2024. Your Typical Criminal: Why White Americans Hate Voter Fraud. *Public Opinion Quarterly*, vol. 88 (Special Issue): 757-780. <https://doi.org/10.1093/poq/nfae023>