

EXTENDING THE FRANCHISE TO NON-CITIZEN RESIDENTS

Is a democratic deficit really all that bad?

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Is a democratic deficit really all that bad?

I. Introduction

In the summer of 2006, a non-citizen resident of the city of Mississauga – a suburb of Toronto, Canada – made a formal request to city council to allow him and other non-citizen residents the right to participate on official municipal boards and committees – a right not currently extended to non-citizen residents. The resident in question is a German citizen who, despite having lived nearly 30 years of his life in Canada, has not obtained Canadian citizenship for reasons having to do with German inheritance laws and his economic interests in Germany.¹ The request was rejected by a majority of Mississauga city councilors with many expressing disbelief that a non-citizen would even make such a request. One councilor went so far as to say that immigrants who have not yet obtained citizenship should stop treating Canada as if it is a “buffet table” of “rights and other good things” (Funston 2006; Munro 2008b).

Mere weeks after the Mississauga controversy emerged, the Mayor of Toronto, David Miller, took a different position than that of his suburban peers. He publicly expressed his support for a policy that would extend the municipal franchise to Toronto’s roughly 261,000 non-citizen residents, arguing that people should have ‘a real say in the decisions that are affecting them’ whether they are citizens or not. Additionally, Miller suggested that perhaps one of the reasons why neighbourhoods, ‘where there are often high proportions of landed immigrants, [have] deteriorate[d]’ is that those landed immigrants ‘haven’t had a vote’ (Miller quoted in Lu 2006). Nevertheless, despite receiving the support of the Mayor and other city councilors, Toronto’s non-citizen residents still do not have the right to vote in municipal elections. The Ontario provincial government, which has the power to amend electoral eligibility regulations for Toronto and all other municipalities in the province, has opposed the policy. When asked about Miller’s position in a press conference, the Premier of Ontario, Dalton McGuinty, said that he would not support such a change in elector eligibility for Ontario’s towns and cities. Consequently, in both

¹ Rudy Czekalla. Email communication with author. 2007.

Mississauga and Toronto, much of the steam has been taken out of campaigns to achieve greater political rights for non-citizen residents.²

The decisions reached by the Mississauga councilors and the Premier of Ontario seem to fit with a conventional view which holds that formal rights of political participation – in particular, the right to vote – should be granted only *after* one has become a citizen. Extending voting and other political rights to non-citizens undermines one of the incentives that newcomers have to pursue citizenship, and, some argue, it cheapens citizenship for those who already hold it. Nevertheless, it is worth asking whether the conventional wisdom should be re-examined in light of the fact that global migration has produced large groups of people who live in liberal democracies who lack an official voice in political decision-making. Is that situation just or unjust? Moreover, we might ask whether that exclusion from participation helps or hinders attempts to produce stable multicultural democracies. In some respects, a re-assessment of the conventional wisdom is unavoidable given that some states have already adopted non-citizen voting arrangements and others are being pressed to follow: Since the mid-1970s, nearly two dozen states have adopted non-citizen voting arrangements of some kind either to repair a perceived democratic deficit or to facilitate newcomer integration. Non-citizens who have resided in The Netherlands for five years, for example, are permitted to vote in municipal and regional elections alongside Dutch citizens. In Sweden, non-citizen residents have been permitted to vote in local and regional elections since 1975 *and* they are eligible for election to local office as well. In New Zealand, non-citizen residents can vote in local *and national* elections. And the United States is no exception: In a half dozen towns in the state of Maryland, non-citizen residents vote in municipal elections alongside American citizens.³

² Advocates for extending the municipal franchise to Toronto's permanent residents report that when subsequently pressed about his position behind closed doors, the Premier indicated that he would be willing to investigate the idea further and that he would be open to a change in his position (Melles 2008). While this opening appears to sustain some of the motivation of campaigners, one official in the Ontario Government's Ministry of Municipal Affairs and Housing has said that the policy was reviewed following the 2006 debate and that there was no change made to the Municipal Elections Act. Moreover, the official noted that there is no expectation that the policy will change in the near future (Sidebottom, 2008).

³ For detailed accounts of the non-citizen voting rights regimes in all of the jurisdictions mentioned here see Aleinikoff & Klusmeyer (2002), Earnest (2003), Hayduk (2006), Kondo (2001), and Layton-Henry (1990).

It appears to some that the ongoing exclusion of non-citizen residents from electoral participation constitutes a democratic deficit (Beckman 2006; Benhabib 2004; Hayduk 2006; Munro 2008a, 2008b; Raskin 1993; Siemiatycki 2006). But why, exactly, should that exclusion be characterized as a democratic deficit rather than a prudent and not unjust citizenship policy; and what are the precise contours or dimensions of that alleged deficit? Moreover, we should ask whether the mere fact that such a deficit exists – if there is a deficit – requires that it be repaired, and that good liberal democrats ought to be motivated to do what would be necessary to repair it. Is it possible that there are there good reasons – of a normative and/or practical nature – that would advise against extending the franchise to non-citizen residents, or at least recommend caution?

In asking these sorts of questions, we will be asking about what we might call the salience of a democratic deficit – that is, about how important and pressing the deficit is, and about its weight relative to other normative and practical concerns. I argue that thinking about the salience of a democratic deficit helps us to understand why campaigns to repair the deficit faced by non-citizen residents in some jurisdictions are more robust and/or more successful than campaigns in other jurisdictions. Moreover, I suggest that thinking about the idea of salience can make us aware of normative dimensions that alter our perceptions of the problem, which may have been neglected had we focused simply on the de-contextualized fact of this particular democratic deficit. Indeed, thinking about the salience of a democratic deficit is very much a matter of viewing a particular situation or phenomenon within its larger social and political context. Thus, as the particular dimensions of social and political context differ across jurisdictions, we should not be surprised to discover that the salience of a democratic deficit – in this case, the inability of non-citizen residents to vote in municipal elections – is perceived differently across those jurisdictions. At the same time, salience involves thinking about a particular phenomenon within a larger *normative* context. When viewed in that way, we might discover that a particular democratic deficit is less salient, and thus requires less attention, when examined alongside some other no less legitimate, but nevertheless conflicting, normative consideration. In a broad sense, then, the paper investigates the ways in which discourses about democratic deficits ought to be informed – and indeed, are altered – by both practical and normative contexts, and it focuses on the discourse of non-citizen resident voting in order to illustrate that point.

In the next section of the paper, I offer a sketch of both the normative and practical dimensions of the democratic deficit faced by non-citizen residents who lack the right to vote. In section III, I introduce the idea of the salience of a democratic deficit and use that idea to explore possible reasons why non-citizen resident voting has not had much traction generally and why, in particular, multicultural Canadian cities, like Toronto, have not extended the right to vote in municipal elections while numerous European cities have. Indeed, thinking about the salience of democratic deficits helps unravel the puzzle of why Canada – a relatively liberal country in terms of immigration and multicultural policy – has not witnessed the extension of municipal voting rights to non-citizen residents whereas municipalities in countries – with arguably less liberal immigration and multicultural policies – have extended such rights. In the final section, I offer some concluding remarks about why the identification of a specific democratic deficit should be regarded as a first step in political deliberation rather than the final say.

II. The Shape of the Democratic Deficit

The claim that the exclusion of non-citizen residents from the franchise constitutes a democratic deficit rests on two distinct, but complementary, arguments. From a normative perspective, extending the municipal franchise to non-citizen residents is said to be required by a principle of democratic legitimacy which holds that all those who are affected by laws or policies ought to have a say in decisions about those laws and policies, or at least a say in the election of representatives who will make those decisions. From a practical, or outcomes-based, perspective extending the franchise to non-citizen residents is expected to improve both the integration of newcomers into the norms and practices of the democratic society in which they reside, and the quality of laws and public policies. Before considering the idea of salience, then, we ought to have accounts of these normative and empirical contours of the alleged democratic deficit.

Normative Deficit

The normative case for extending the municipal franchise to non-citizen residents appeals to a principle of democratic legitimacy and, in many cases, to an ‘affected interests’ interpretation of that principle. On this interpretation, roughly stated, all those whose interests are affected or potentially affected by the laws, policies, and other decisions of the

governments under which they live should have an opportunity to vote on those laws and policies, or at least for the representatives who will make binding decisions.² The central intuition is that ‘political power which is exercised over those who have had no opportunity to voice their concerns and no opportunity to ask that decision-makers consider their interests is power exercised illegitimately’ (Munro, 2007, 4). ‘The claim to a democratic say in collective decisions, whether or not one is a citizen,’ writes Shapiro, ‘appropriately rests on the causal principle of having a pertinent affected interest’ (Shapiro, 2003, 52). Similarly, Habermas holds that ‘only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity *as participants in a practical discourse*’ (Habermas, 1990, 66).

Advocates of non-citizen resident voting observe that the affected interests interpretation of democratic legitimacy makes no distinction between citizens and non-citizens. And nor should it since many, if not most, laws and policies affect interests regardless of citizenship. Non-citizen residents are required to pay taxes, they hold jobs in regulated economies, send their children to public schools (funded in part by the taxes they pay), they are subject to the civil and criminal laws, and, in some cases, they can be drafted into the militaries of their adopted political communities (Hayduk, 2006, 13, 64; Munro 2007). As such, they ought to have a say in the political processes that produce the relevant laws and policies. Thus, Shapiro writes that ‘there might be good reasons for restricting citizenship, but this does not mean that noncitizens should be denied rights to vote on matters that affect their pertinent interests’ (Shapiro, 2003, 52). The fact of residence in a particular political jurisdiction requires non-citizen compliance with the legal and political decisions of that jurisdiction, but those residents’ exclusion from formal participation in law- and policy-making processes violates a core principle of democratic legitimacy.⁴

Where non-citizen residents lack the right to vote political candidates lack meaningful incentives to be responsive to their concerns. Although the interests of the non-enfranchised may receive consideration to the extent that citizens who have the right to participate take it upon themselves to press for those interests, that possibility is not cause

⁴ For Walzer, this rule of citizens over non-citizens constitutes a form a ‘tyranny’ because it violates a ‘principle of political justice’ – namely, ‘that the processes of self-determination through which a democratic state shapes its internal life, must be open, and equally open, to all those men and women who live within its territory, work in the local economy, and are subject to local law’ (Walzer, 1983, 60, 63).

for much celebration. In that case non-citizen residents would be in no better shape than women who, before they won the right to vote, could expect their interests to be served only to the extent that their husbands, fathers, brothers, or other enfranchised individuals thought that their interests ought to receive some attention. Conversely, individuals *with* votes are less likely to be ignored and marginalized than individuals *without* votes because there is a greater incentive for elected officials and candidates to listen and respond to the interests of those with votes. This is not to say that candidates and decision-makers will *always* listen and respond, but candidates and representatives are more likely to listen to constituents who can vote them into and out of office than they are to listen to residents who cannot.

In short, then, all residents of a jurisdiction who are subject to the laws of that jurisdiction ought to have an equal say in the making of those laws. Where residents who happen to be non-citizens are not permitted an equal say, the jurisdiction in question suffers from a democratic deficit. To be sure, one could argue that democratic *stability* requires that only those who are *members*, and thus loyal to the political community, should be permitted to influence laws and policies. But at this stage, our concern is with normative considerations of democratic *legitimacy*. For that democratic *stability* argument to trump democratic *legitimacy* we would need some defensible normative reason why that should be the case. I will consider that claim briefly in the section on normative salience below.⁵ In the meantime, it appears that the absence of voting rights for non-citizen residents constitutes a democratic deficit when analyzed from the perspective of a principle of democratic legitimacy.

Empirical Deficits

The exclusion of non-citizen residents from the franchise also entails democratic deficits which might be captured in terms of more empirical measures such as responsiveness, quality of public policy, and participant competence. In particular, advocates for extending the franchise to non-citizen residents suggest that such arrangements would lead to improvements in the quality of public policy, on the one hand, and improvements in the integration of newcomers and potential citizens into democratic political life, on the other.⁶

⁵ I also consider it at length in an as yet unpublished paper titled “Interests, Reciprocity and Democratic Justice: Revising the Case for Non-citizen Resident Voting”.

⁶ The following two paragraphs draw on Munro 2008b.

The Quality of Public Policy

With respect to public policy, the formal political participation of all people *living* in cities, and not simply *citizens*, may serve to improve the quality and effectiveness of laws and policies. While landed immigrants already have some opportunities to voice their concerns – by, for example, directly contacting decision-makers, expressing views in the media, and participating in advocacy groups in the public sphere generally – tying those opportunities to a formal vote would likely improve politicians’ responsiveness to their concerns and opinions. In that case, policy decisions could be made with more and better information about how well certain policies might fare in the neighbourhoods to which they are directed. Where non-citizen residents are excluded from the franchise, policy-makers must rely on assumptions or, at best, extrapolations from polls and other unofficial preference-gathering mechanisms, about the preferences and opinions of non-citizen residents. In that case, the laws or policies that emerge from the decision-making process will have to be road-tested *after* they have been adopted rather than subject to the full blast of public opinion in advance.⁷ The point is that, all other things equal, laws and policies are likely to reflect a much better understanding of the facts on the ground and will face fewer implementation challenges when *all* those people who would be affected by such a policy have a formal

⁷ So, for example, imagine that all candidates in a municipal election promise to increase funding for police services, but while some candidates would locate funding for that program via an increase in property taxes, other candidates would locate funding by reducing or eliminating funding for programs that assist newcomer integration (e.g., language training, employment training and assistance). If non-citizen residents are not permitted to vote in the election, then the result of the election might be out of line with what would have been the outcome had *all* those who would be affected by the decision had been included in the vote. Non-citizen residents – who are more likely to be renters than property-owners and more likely to use integration services than citizens – would have been more likely to vote for the candidates supporting property-tax increases than the candidates supporting integration program cuts. Given non-citizen residents’ exclusion from the election, while the winning candidates may believe that they have identified and are about to implement a policy that faces little opposition, it may in fact be the case that there is great opposition to the policy among those whom it would affect. In some cases, the non-citizen residents who suffer from such a policy change, but who had no vote in the election which led to it, might organize public protests which would place an extra burden on the police and which, perhaps in the extreme, would serve to undermine whatever gains were made with the increase in police-funding that resulted from the election. We should not push too far with a hypothetical illustration. However, given recent European – and especially French – experience with rioting in suburbs in which immigrants make up a large portion of the population, it is not unreasonable to think that such a scenario could unfold where non-citizen residents lack a vote and perceive themselves to have suffered an injustice.

mechanism by which to communicate what they know and what they prefer to decision makers, than laws and policies which rely on the contributions of citizens alone.

To be sure, non-citizen residents have other avenues through which to make their views known. They are permitted, in many cases, to write letters to decision-makers; express their views in the media or in lawful public demonstrations; participate in associations which advocate for social and political change; and bring legal action against the government, other individuals, or groups, among other things. In fact, voicing one's opinions through these sorts of mechanisms may lead to greater influence on decision-making than merely voting in municipal elections. However, it is likely the case that these other political activities, when performed by non-citizen residents rather than voting citizens, are discounted by politicians precisely because they are the activities are non-voting non-citizens. Having a vote probably approaches the status of a necessary, albeit insufficient, condition for political efficacy – or, at the very least, having a vote contributes to a significant increase in political efficacy. To the extent that non-citizens lack that access to that necessary condition, they face a democratic deficit which, moreover, impairs the development of good public policy.

Competence and Integration

Finally, the exclusion of non-citizen residents from the franchise can serve to undermine the processes and robustness of integration of newcomers and, for that reason, ought to be regarded as a threat to democratic stability.⁸ Aleinikoff and Klusmeyer believe that 'participation is important training for the kind of engaged citizenship that most liberal democracies seek to foster. It can familiarize non-citizens with the political culture and imbue them with a sense of belonging that can make the decision to naturalize more attractive' (2002: 43). In particular, they expect non-citizen voting arrangements to have positive educative and integrative effects. In this vein, when the Swedish government in 1975 and the Dutch government in 1982 introduced non-citizen resident voting arrangements, both argued that non-citizen resident political participation was a crucial

⁸ I address this idea more extensively in Munro 2008a following the advice of Mill (1991): In his *Considerations on Representative Government*, Mill argues that social and political institutions should be assessed not simply in terms of their inherent justice or injustice, but also in terms of their effects on the character of citizens who must live with and under those institutions – i.e., 'how far they tend to foster in the members of the community the various desirable qualities, moral and intellectual' (Mill, 1991: 226-7).

element of a larger strategy of immigrant integration. At least until very recently, both governments maintained that ‘the absence of immigrant voting rights only serves to frustrate their integration policies’ (Rath, 1990: 142). Additionally, the Maastricht Treaty requirement that citizens of EU states receive local voting rights in other EU states was adopted in part to facilitate the emergence of a sense of EU citizenship and integration. In that sense, extending the municipal franchise might be seen as a strategy to improve *democratic stability*.

The idea here is that non-citizen residents are more likely to integrate into the democratic polity – indeed, more likely to develop an awareness of and commitment to democratic principles, disposition and institutions, and more likely to develop citizenship capacities and skills – when they have opportunities to participate in democratic political life. Insofar as voting is a basic democratic activity – and one which, as I have suggested, is likely necessary for the efficacy of other democratic activities – granting the vote to non-citizen residents appears to be a promising way to facilitate a more robust and quicker democratic integration. While there is very little in the way of empirical testing of this hypothesis, what little evidence there is suggests that the claim that non-citizen voting acts as an incentive to education and integration is not without merit. After New York City granted the non-citizen parents of schoolchildren the right to vote in school board elections, for example, observers noted an increase in the speed at which immigrants integrated into the wider society (2006: 76). That outcome likely reflects the wisdom that knowledge and practical skills are best developed through activities which *exercise* those skills rather than through forms of instruction and knowledge-dissemination in which learners are *passive* recipients.

Consider the lessons that might be learned by non-citizens when they are *not* permitted to vote. If naturalization takes between three and ten years, then those are three to ten years in which many significant political decisions will be made for non-citizen residents without their participation and thus, from their perspective, delivered to them in a top-down, perhaps authoritarian manner. In those crucial years when newcomers are learning about the norms and practices of democracy and who, ideally, are in the process of developing democratic political skills and commitments, the lesson they may internalize is that political decisions should be left to others; one’s own participation is irrelevant. Those who emigrated from countries in which they *were* allowed to vote and participate, by contrast, may experience a decline in their existing participatory capacities. As Fung and Wright have observed, ‘[i]ndividuals’ capacities to deliberate and make public decisions

atrophy when left unused' (Fung & Wright, 2001: 29). Granting non-citizen residents the right to vote might stave off that atrophy and preserve whatever democratic capacities and commitments they had upon arrival.

Moreover, where non-citizen voting is prohibited, newcomers may learn that the interests of some residents, and perhaps some citizens, count for less than others. That lesson in particular can have explosive consequences: There is a long post-war history of foreign worker revolts in Europe precipitated in large part by feelings of political alienation and under-representation (Hammar, 1990). Where political grievances lack legitimate channels of expression, non-citizen residents have turned, and may continue to turn, to illegitimate and often violent means to ensure that those grievances are heard. If such radical tactics succeed, non-citizen residents may internalize the lesson that radical action is more effective than democratic participation. If such tactics fail, non-citizen residents may become increasingly frustrated and resort to even more radical and more destabilizing political action.

To the extent that non-citizen residents are not permitted to vote, then, a democratic society misses out on potential benefits to the quality of public policy and, moreover, fails to engage with newcomers at a critical point in their democratic integration. Of course, the fact that certain arrangements fall short of the best of all imaginable worlds does not necessarily mean that those arrangements embody a democratic deficit since the best of all imaginable worlds may not be the best of all *possible* democratic worlds. Nevertheless, if there are arrangements – such as non-citizen resident voting – which could make policy more responsive and which could improve integration, a polity that fails to adopt those arrangements is certainly less well-off than it could otherwise be.

Before moving to the discussion on salience, it would help to consider the case of Toronto, Canada in order to illustrate in more concrete terms the sorts of deficits mentioned here but also to set the stage for the use of that case to illustrate elements of the idea of salience.

Toronto, Canada

To bring these claims about democratic deficits closer to the ground, it would help to consider the discourse about non-citizen resident voting which has emerged in Toronto. Examining events and discussions in Toronto regarding non-citizen resident voting also

serves as a concrete introduction to the idea of the salience of a democratic deficit which I will address in a moment.

The City of Toronto sits in the densely populated Golden Horseshoe region of the province of Ontario which wraps around the south west end of Lake Ontario. Although it is part of the Greater Toronto Region – which is home to over 5.5 million people and whose component cities each have their own municipal governments – the City of Toronto proper has a population of approximately 2.5 million (Statistics Canada, 2008). Of those, approximately 1.2 million are identified as immigrants⁹ and just over 380,000 are not Canadian citizens – i.e., they are non-citizen residents (Statistics Canada, 2008). Extrapolating from 2006 census data, a rough estimate of the number of non-citizen permanent residents of voting age in the City in Toronto would be 261,000.¹⁰ This would include both non-citizens who are eligible for citizenship but who have not yet naturalized, and those recent immigrants who are not yet eligible for citizenship (usually because they have not yet lived in Canada for 3 years which is the minimum residence requirement to apply for citizenship) (Siemiatycki 2006: 9).

The motto of the City of Toronto is “Diversity our strength” which is not surprising given that 47% of the population (1.16 million people) falls into the category of ‘visible minorities’. Toronto accounts for 22.9% of all visible minority persons in Canada and 42.4% of visible minority persons in Ontario (City of Toronto 2008: 1). Graham & Phillips (2006) observe that, ‘although meant to celebrate the city’s demographic, [the city’s motto] has become more than a slogan’ (17). Good (2005), for example, ‘contends that this motto reflects a consensus among Toronto’s municipal, voluntary and private sector leaders that the city needs to focus on the integration of immigrants’ and points to a variety of programs the city has adopted to pursue that aim (Graham & Phillips 2006: 17; Good 2004, 2005).

⁹ Immigrants are ‘persons who are, or have ever been, landed immigrants in Canada. A landed immigrant is a person who has been granted the right to live in Canada permanently by immigration authorities’ (Statistics Canada, 2008).

¹⁰ Using 2006 Census data, if we subtract from the number of non-citizens living in the City of Toronto (i.e., 380,135) those 54,610 people who are not permanent residents (e.g., foreign students, long-term visitors), and then adjust the result (using data about age distribution for the population as a whole) to include only those who would be 18-years of age or over – i.e., of voting age – we get a rough estimate of 261,000 non-citizen permanent residents of voting age in the City of Toronto. A similar calculation by Siemiatycki (2006) which used 2001 census data and slightly different assumptions produced an estimate of 263,000 non-citizen permanent residents of voting age in Toronto.

Such programs include the establishment of a city Task Force on Access and Equality, a Diversity Management and Community Engagement Unit, and the Toronto Region Immigrant Employment Council (TRIEC) which was a joint initiative by the city and the Maytree Foundation – a Canadian charitable foundation which focuses on issues of poverty and diversity, among other things (Graham & Phillips 2006; Good 2004, 2005).¹¹

At a higher level, Toronto's activities in this area are 'consistent with' and often motivated by the City of Toronto Immigration and Settlement Policy Framework, adopted by City Council in 2001, which aims

to enable the City, within its mandate as municipal government and service provider, to work with all other orders of government, all sectors that make up the economic, social and cultural web of the City and immigrants to ensure that it continues to: (a) attract newcomers and (b) provide supports to enable them to develop a sense of identity and belonging and fully participate in the social, economic, cultural and political life in the City (City of Toronto, 2001: 9).

Though some might consider the language of the policy framework rather toothless, its significance arises in part from the fact that it appears to be the only municipality in Canada which has such a framework (Graham & Phillips 2006: 18). In short, the City of Toronto recognizes that it faces unique immigration and settlement challenges and consequently takes a very progressive approach in rhetoric, policy and institutional practice.

A more recent element of that progressive approach was signaled by the Mayor in 2006 with his public support for the extension of the municipal franchise to non-citizen permanent residents (Lu 2006). The Mayor had been persuaded by the advocates of the One Resident, One Vote (OROV) campaign in Toronto that non-citizen permanent residents in the city face a democratic deficit – that arrangements which exclude them are unfair – and, moreover, that extending the franchise might help to improve civic and economic life on a variety of measures. A paper written by Ryerson University professor Myer Siemiatycki for Inclusive Cities Canada had been the subject of extensive discussion among city officials, non-profit organizations and in the media (Siemiatycki 2006) and played no small role in convincing the Mayor and others that a democratic deficit exists and that it ought to be repaired (Melles 2008). Siemiatycki showed that those Toronto neighbourhoods with the poorest performance on standard socio-economic measures were also more likely to

¹¹ For information on the Maytree Foundation and its various initiatives in the city of Toronto, see www.maytree.com.

be home to Toronto's recent immigrants and non-citizen residents. Siemiatycki argued that the socio-economic conditions in those areas could be explained, at least in part, by the fact that immigrants and non-citizens were in some cases effectively, while in other cases formally, excluded from participation in political life in the city. An increase in political participation among the residents of these poorly-performing neighbourhoods, as well as improvements in what Siemiatycki calls 'social inclusion' more generally, would likely lead to improvements on socio-economic measures in those neighbourhoods. As Siemiatycki put it, Toronto could follow the approach of the city of Mississauga and deny political rights to non-citizen residents, or it could 'recognize non-citizen residents as municipal taxpayers and as members of the civic community. Their global experience, knowledge and networks can contribute to the municipality's success. Extending political participation rights to them will strengthen their attachment to Canada and their Canadian hometown' (Siemiatycki 2006: 13).

The OROV coalition – which includes Inclusive Cities Canada and the Maytree Foundation – was reinvigorated by Siemiatycki's paper and the Mayor's support. Coalition leaders pursued their advocacy with those remaining city councilors who were not yet convinced, with immigrant communities themselves who had not yet grasped the idea and with officials in the provincial government (Melles 2008). The coalition maintained that an extension of the municipal franchise to Toronto's non-citizen permanent resident is not only a requirement of democratic fairness – i.e., that all those affected by decisions ought to have a say in those decisions – but that formal electoral inclusion of all residents has the potential to improve civic life on a variety of measures. It would afford permanent residents (who are potential citizens) opportunities to improve their political skills by participating as equals in the municipal electoral process. Additionally, the OROV coalition held that socio-economic improvements for newcomers and ethno-cultural minorities in Toronto would be easier to achieve if permanent residents had the vote, thereby creating an incentive for elected officials to be more responsive to their needs and claims (Melles 2008).

However, despite significant support among community organizations, city officials, and the Mayor, non-citizen residents of the city of Toronto still lack the right to vote. Among other political actors – including the provincial government of Ontario, other citizens, and even some recent immigrants – support for the policy was non-existent. The democratic deficit faced by Toronto's non-citizen permanent residents was either not recognized or, if it was, was not perceived by opponents to be as burdensome as proponents

claimed. Indeed, even many of those who would have received the vote had it been extended to them seemed not especially motivated to support the initiative. How could it be that what seemed like an obvious policy option for a progressive city would be ignored or opposed by other actors who, in most cases, are no less committed to progressive arrangements for newcomers? Why is the democratic deficit ultimately not seen as especially salient?

III. Salience

Though one might be persuaded by the claim that non-citizen residents, insofar as they lack the vote, face a democratic deficit, a no-less important issue is whether action should be taken to repair that deficit. Of course, one would expect that once a democratic deficit has been identified, any sincere democrat should support measures which would serve to eliminate or repair that deficit. At the same time, however, we know that simply identifying deficits is insufficient to motivate action, even among those people who face the consequences of the deficits themselves. In some cases, this may be a function of fear – a democratic deficit is tolerable when the perceived costs of action may be, for example, social marginalization or even deportation. There is an implicit or explicit weighing of the democratic deficit and expectations of success in eliminating that deficit against the costs that one might face in advocating for change. This suggests that it might be useful to begin thinking about what we can call the salience of a democratic deficit: Though a deficit might exist as a matter of fact, whether action will be, or even should be, taken to eliminate that deficit depends on how important or burdensome that deficit is perceived to be compared with alternatives.

The discussion in this section follows two paths – an explanatory path and a normative path. The aim is to offer preliminary examination of some hypotheses that could explain why non-citizen voting arrangements are not especially pervasive globally and why they are particularly scarce in Canadian and American municipalities. It turns out, as we'll see, that certainly widely shared norms about citizenship and its associated rights conspire against extensions of the franchise to non-citizen residents generally and that what cross-national variation exists, is likely explained by perceptions about the difficulty or ease by which citizenship can be acquired.

'Creatures of the Provinces'

We can discard rather quickly one often cited explanation for the absence of non-citizen residents voting rights in Toronto. In the Canadian Constitution, cities are not established as an independent level of government with their own rights and powers; rather cities are simply “creatures of the provinces” which means, in this case, that the design and maintenance of rules and eligibilities for municipal elections is a power held by the provinces rather than the cities themselves (Siemiatycki 2006: 6). Consequently, the argument goes, although the mayor of Toronto would like to change the rules in order to grant non-citizen residents a right to vote in municipal elections, the proposed change hasn't materialized because the provincial government, who has constitutional power in this matter, opposes the policy (Siemiatycki 2006: 6; Melles 2008). But this doesn't really explain *why* the province opposes the policy change; it only serves to explain why provincial opinion in this case trumps municipal opinion. One suspects that, given the larger constituency over which the province has jurisdiction and given the more conservative leanings of that larger constituency when compared with constituents in the city of Toronto alone, the decision of the province simply aligns with expectations about what that larger constituency would accept. Again, however, this explanation still leaves open the question of why, exactly, those political actors reject (or would be expected to reject) voting rights for non-citizen residents. For that explanation, we need to look elsewhere.

Alternative Means of Participation

A more fruitful line of explanation for the failure to adopt non-citizen residents voting in Toronto, as well as in most other cities in liberal democratic states, points to a popular perception that non-citizen residents already have sufficient rights and means of participation in the decision-making process of the cities in which they live. Permanent residents may lack the franchise, but in many cases they do have constitutional protection for various other forms of political participation including those that emerge from protection of a right to free speech; freedom of association; and access to and standing in the legal system, among others. Arguably, these “other” rights protect modes of political participation that are more likely to influence decision-makers than voting. Writing to, and perhaps meeting with, a local politician may have more of an impact on that politician's views than simply voting in an election. In that case, the democratic deficit faced by those

who lack the vote can reasonably be perceived to be less salient. Indeed, even for citizens, the act of voting has come to be seen as something more symbolic than effective as a means of political influence. In short, then, there is little motivation, and perhaps little reason, to enfranchise non-citizen residents because they already have participatory rights that allow them to voice their concerns as effectively as citizens.

However, it is likely that the worth of the alternate means of participation is informally discounted for non-citizen residents precisely because the views expressed in these ways are not backed up by the currency of a vote. From a normative perspective, if we think that non-citizen residents ought to have these other means of participating, and we recognize that the worth of these other rights is diminished as a consequence of not having the vote, then we may have a reason to extend the vote to those non-citizen residents in order to improve the worth of their political liberties.¹² However, there are those who would argue that non-citizen residents should not have even these other political rights, and so would not be prepared to endorse an argument about improving the worth of those rights for non-citizens. I will pick up this line of thought in a moment. For the moment, it appears that the (mis)perception that non-citizen residents already have sufficient means to make their views known contributes to an explanation about why their lack of enfranchisement does not constitute an especially salient democratic deficit.¹³

Fairness and the Rewards of Citizenship

Another widespread perception which serves to undermine efforts to extend the franchise to non-citizen residents is the belief that it would be unfair to extend the rewards of citizenship – particularly, the vote – to individuals who have not earned them in the way that others have (Rubio-Marin 2000). In this sense, the vote is regarded as a good to be distributed only to those who deserve to have that good. Previous immigrants, the argument goes, have already paid their dues by learning about the society in which they live and by passing a citizenship test. To give the same rewards to immigrants who have not passed through the

¹² The idea of the worth of political liberties is inspired by Rawls (1996, 1999).

¹³ Interestingly, this belief is held not only by many citizens, but also by many of those non-citizen residents who would be the beneficiaries of an extension of the franchise. Indeed, campaigners in the OROV movement in Toronto report that one of their primary tasks has been to educate non-citizen residents about the democratic deficit they face and why alternative means of participation alone are not enough to ensure that their voices are heard and respected by decision-makers (Melles 2008).

necessary hurdles diminishes the significance of the efforts of those who have passed those hurdles. In the absence of a demonstrated commitment and successful citizenship test, the rewards of citizenship – particularly the franchise – should not be granted.

Notwithstanding the comical fact that many of those who make this argument have themselves acquired citizenship by virtue of an accident of birth rather than individual effort, it is the case that the pervasiveness of these norms about demonstrated commitment and earning the rewards of citizenship serves to block efforts to enfranchise non-citizen residents. It might be fair to argue that democratic stability requires that both newcomers and residents by birth become integrated into the norms and practices of the democratic societies in which they live. And if integration is best achieved by denying newcomers the franchise for some suitable duration while they learn about, and develop a commitment to, their adopted homes, then a concern for democratic stability would recommend such a scenario. However, the question of whether integration is best achieved by making newcomers wait before acquiring the vote or, conversely, by allowing newcomers to participate as equals from the moment they arrive, is an empirical question. Until that question is answered, there is no reason to think that the former arrangement is any better than the latter and thus cannot reasonably be appealed to as a reason to exclude non-citizen residents from the franchise (Munro 2008a). Nevertheless, in this case, as in others, the fact that these norms are held widely by citizens in liberal democracies helps to explain why movements to extend the franchise to non-citizen residents have such difficulty.

Residency Requirement for Citizenship Application

Although the previous two considerations help to explain why there has been resistance to the idea of extending the franchise to non-citizen residents generally, they do little to explain the cross-national variance that exists on the matter. Roughly speaking, non-citizen residents in European cities are much more likely to receive the franchise than are non-citizen residents in Canadian and American cities. I want to suggest that much of that variation is at least partly explained by the difference in residency requirements to acquire citizenship. In Canada, a permanent resident can apply for citizenship a mere three years after arriving in the country whereas in European countries, the residency requirement is usually more than five years and in not uncommonly ten years or more (Weil 2001). Where the length of time to acquire citizenship increases, I want to suggest, there is a parallel increase in the salience

of the democratic deficit non-citizen residents face in not having the vote. This means that we should expect more robust campaigns for non-citizen resident voting rights in those jurisdictions where the residency requirement for citizenship is high and less robust campaigns where the residency requirement is comparatively low. [This section of the paper could use a more systematic analysis of the data, including regressions. Let's call this a bookmark and a promise to do that over the summer].

This explanation dovetails well with the alternative means of participation explanation. That is, the salience of the democratic deficit is comparatively higher where the available means of participation are comparatively lower. In short, the deficit is more deeply felt when non-citizen residents lack other ways to make their preferences and opinions known to decision makers or where the expectation that they will be able to do so in a reasonable period of time is low.

To be sure, even in those jurisdictions, like Canada, where the residency requirement is relatively low, there will be those non-citizen residents who will never acquire citizenship and will therefore face a more burdensome deficit. In those cases, different dynamics may come into play, both empirically and normatively. It is likely not a coincidence that the individual who made the case for extending greater participation rights to non-citizens in Mississauga is a resident who has spent 30 years in Canada without acquiring citizenship. Still, in those cases where an individual has no plans to acquire citizenship, we should not assume, as many do, that this is indicative of a lack of commitment to the country of residence. It may simply reflect complications arising from the lack of international coordination on the rules of citizenship and the costs and benefits of relinquishing one while obtaining another.

V. Conclusion: Is Every Democratic Deficit an Injustice?

When there are so many other pressing injustices in a democratic society, how concerned should we really be with a problem that, in many cases, will simply take care of itself in a little more than three to five years (in the Canadian and American contexts)? In that sense, the lack of the franchise for non-citizen residents is a democratic deficit strictly speaking, but its temporary nature significantly diminishes its salience as a motive for action. Given the availability of alternative modes of participation and given this expectation that the deficit

will effectively disappear in the normal course of affairs, even non-citizen residents themselves tend to discount the burden of the deficit they face.

A more difficult question arises when we ask whether the salience of a democratic deficit changes its normative character. That is, should we view all democratic deficits as objectionable and require, as a matter of fairness, that they be rectified? Or should the differences in salience of different democratic deficits affect our normative perspectives about how critical each deficit is? My sense is that because each individual democratic deficit is in fact part of a larger ongoing deliberation about justice and injustice in a society, it might not be especially objectionable to fail to deal with this particular injustice. Which is to say that while a democratic deficit is a democratic deficit and all such deficits are objectionable, not all deficits are equal, and thus our normative objections to them ought not to have equal weight.

Still, that's not to say that non-citizen residents should continue to be excluded from the franchise. While the burden non-citizens face in this respect, at least in Canada and the United States, is not terribly heavy, extending the franchise to non-citizen residents is probably not all that burdensome to society either. Other cities in liberal democratic states have done it without experiencing democratic collapse. And, for what it's worth, there may be at least one significant benefit to extending the franchise to these potential citizens: The positive psychological effects likely experienced by non-citizens who would receive the right to vote are an important consideration. Granting the right to vote in a political community is an act of recognition and acts of recognition contribute to the development of mutual respect and political equality. As Charles Taylor has explained, in the modern world, recognition and worth are not functions of traditional rank and status, but the products of a *politics* of recognition. One develops self-respect and a sense of self-worth not simply when one has confidence in oneself and one's own projects but, crucially, when one perceives that others recognize one's worth (Taylor, 1994).¹⁴ By recognizing non-citizens as worthy of the local franchise in the democratic system, a political community sends a signal that non-citizens are not outsiders, but instead a group of potential citizens who should be treated with respect and as political equals. Indeed, when residents and potential citizens are included in the shared public political dialogue, we can avoid the emergence of an

¹⁴ See also Rawls, 1999, especially section 67 on self-respect, and Gutmann & Thompson, 1996, especially chapter 2 on reciprocity.

exclusionary us-versus-them discourse or, when such a discourse already exists, we take a decisive step towards eliminating that discourse. And when that exclusionary discourse is diminished or eliminated, non-citizen residents and potential citizens are on a much more secure path towards full integration into the democratic political community. In that respect, we may even make some headway in avoiding the sorts of democratic deficits faced by immigrants even after they acquire citizenship.

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