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Reimagining Citizenship: A Review of Angela Banks' *Civic Education in the Age of Mass Migration*

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Abstract: This review of Angela M. Banks' book, *Civic Education in the Age of Mass Migration*, provides an overview of the book and highlights timely and important issues that may be of interest to most civic educators and researchers. Emphasizing her expertise as a legal and immigration scholar, the reviewers discuss Banks' incisive examination of the boundaries of citizenship in civic education.

Keywords: civic education, citizenship, civic engagement, immigration, education, social studies education.

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*what lies beyond free
verse? what frontier is left?
follow the immigrants and the indigenous*

*even people from here
have come from somewhere else
there have always been legal ways to take land*

*history need not repeat
the story generations swallowed
a groundhog's day of existence
thrown up into the mouths of children*

(Excerpt from Felice Belle's "Yours as Much as Mine," 2013)

Felice Belle's poem, "Yours as Much as Mine," echoes many of the tensions with which all educators, and particularly civic educators, are grappling in our highly polarized sociopolitical context. Juxtaposing words like "free" and "frontier," Belle invokes the paths of the immigrants and the indigenous as a reminder that all of us have come "from somewhere else" in the hopes that "history need not repeat the story generations swallowed." In the United States, the story swallowed by generations can feature a wide spectrum of engagement with the principles of democracy, or the elusive promise of the fabled American Dream for those relegated to low status. As Mirra and Garcia ask,

What does it mean to educate toward civic engagement in a society in which progress occurs not inevitably or in a straight line but instead in stops, starts, and retreats? Whose perspectives and cultural values define progress today? What storylines can inspire civic action when the narrative of the Dream does not resonate? (2017, p. 138)

In an age of mass migration, when 12.4 million school age children have at least one foreign born parent and 1.76 million are foreign born, our classrooms will have children and families who are a mix of citizens, legal permanent residents, and unauthorized migrants. A critical and transformative civic education must therefore contend with the desires, interests, and experiences of all in ways that affirm the marginalized as well as ensures the participation and stewardship of our democracy.

In *Civic Education in the Age of Mass Migration*, legal scholar Angela M. Banks takes up some of these timely and important questions as she addresses teachers and educators engaged in civics. Drawing on her expertise as a legal and immigration scholar, she offers an incisive examination of the boundaries of citizenship in civic education. Assuming civic education is heterogeneous, and "broadly seeks to effectively prepare students to be responsible participants in a democratic society," she argues that responsible participation means more than simply performing duties such as voting and understanding civic processes, but also "requires working to ensure that society moves closer to realizing the democratic principles on which it is founded" (p. xviii). Preparing students to engage in this work, as schools are "becoming increasingly diverse with regard to citizenship status and immigration," especially when citizenship is presented as an inclusive approach to membership, is a challenging task because "whenever lines are drawn, some will be excluded" (p. xvii). Yet an uncritical affirmation of citizenship will continue to alienate some students and their families, while sending the entire

class the message that the boundaries set by citizenship are fair, possibly unchanging, and beyond scrutiny.

Instead, as Banks explores in lucid detail, citizenship draws boundaries, sets limits on access to certain goods or benefits, and has been contested, drawn, and redrawn across American history. Rather than presenting citizenship as an unquestioned term, civics courses can center on a critical engagement with the concept, what it provides, who has been and is “in” and out, and what other principles might form a government that more justly represents the will of the governed. Alternatively, Banks argues, a broader application of the *jus nexi* principle, “which focuses on the social fact of membership or the actual ties an individual has to the society” (p. 19), can close gaps between our nation’s highest ideals and the experience of racially, economically, and culturally marginalized members of our society. Overall, Banks’ expert and insightful analysis and critique of the boundaries of citizenship in civic education serve as a generative provocation for educators and scholars who are willing to “imagine different membership boundaries” in order to champion a “widespread commitment to the democratic principles outlined in the American creed” (p. 77).

Content and Structure

Whether civic educators aim to explain how our government works so students can sustain it, or raise transformative citizens we encourage to fundamentally change our institutions, civic education has been centered within the boundaries of citizenship. Banks’ humane and justice-driven perspective challenges readers to consider how conceptions of citizenship shape civic education and who among our society benefits from such ideas. In a concise volume consisting of an introduction, four chapters, and several appendices, Banks provides an overview of civic education grounded in the legal differences that result from various statuses of citizenship, from citizen to immigrant, nonimmigrant or unauthorized migrant. Immigration and citizenship law, discussed in the context of how they perpetuate narratives of exclusion and belonging, ground her approach to civics.

In Chapter 1, Banks begins with an accessible overview that impressively captures in very broad strokes the ideological evolution from assimilationist and mainstream to multicultural civic education, noting that regardless of their approach, “most civic education theorists and researchers have either assumed that students are citizens or that citizenship is available to them in the future” (p. 5). Other sections in this first chapter address the implications of differences in status for members and nonmembers as determined according to citizenship boundaries. In particular, Banks recognizes that unauthorized migrants, “despite limited opportunities and vulnerabilities,” continue to participate in American schools, contribute to the economy, and to be politically engaged in ways that “believe their formal designation as nonmembers” (p. 9). Further, building on experiences from the civil rights movement era, Banks challenges educators with the point that an unauthorized migrant or child of one in a classroom may simply conclude that democratic norms are unrealistic, since they are aware that unauthorized migrants are denied the vote but still impacted by state policies. Acknowledging that gap and introducing strategies to build towards a more fully democratic society, including participation in such events, can prepare future generations of civic agents to rethink and redesign access to citizenship in the United States.

One unique aspect of the book, not found as commonly in civic education literature, is the use of social psychology to explain how discourses about immigration (and other issues, for that matter) are perpetuated. Because “examining the boundaries of citizenship in democratic societies raises questions about the role of race, class, and gender in defining membership,” these issues can be difficult for some to confront (p. 12). As explained by theories of *motivated cognition*, individuals may use a “variety of strategies to reduce [discomfort] or avoid the

situations or information that gives rise to the discomfort” rather than seek accuracy or engage with information that seems to contradict their view of themselves and members of their social groups (p. 12). In the United States, for example, “where individuals have been socialized to have beliefs and attitudes rooted in racial egalitarianism” many resist information that leads to cognitive dissonance by exposing the reality of the injustices faced by vulnerable populations, such as unauthorized migrants (p. 12). Coupled with the ways in which discourses of immigration develop in relation to membership and belonging, it is not surprising that great tensions exist between “democratic principles like popular sovereignty, inclusion, and equality” and existing social and political hierarchies.

Therefore, in the current highly-polarized political context, Banks’ argument is particularly compelling and applicable to aspects of civic education that extend well beyond the focus of this book. She amplifies and contextualizes the arguments of social psychologists, arguing that it can help to make students aware of how motivated reasoning is a common response to cognitive dissonance. According to social psychologists, Banks adds, dispelling illusions of objectivity by “making individuals aware of motivated reasoning and the mechanisms by which it occurs can actually limit the impact of motivated reasoning,” especially when accompanied by strategies that affirm students’ identities (p. 15).

Chapter Two explores what Banks terms the “immigrant labor paradox,” that American employers have always demanded access to foreign low wage workers, whose labor as slaves or migrants has been central to national growth and prosperity, but without providing those workers a path way to legal (*de jure*) membership in the polity. She quotes Audre Lorde’s scathing observation, “in a society where the good is defined in terms of profit rather than in terms of human need, there must always be some group of people who, through systematized oppression, can be made to feel surplus, to occupy the place of the dehumanized inferior.” Banks explores the limitations on citizenship for women and those of African descent from the origins of the country, through Dredd Scott, and then the 14th Amendment that established citizenship for all those born or naturalized, as a framing for the insatiable appetite employers expressed for foreign labor. Furthermore, as all the ways devised to access that labor provided uncertain pathways to citizenship for the laboring persons, she characterizes these strategies explicitly as “a tool for managing the immigrant labor paradox.” Banks argues that the history of allowing people in legally, or through lax enforcement so they can labor without providing a pathway to citizenship, bears significant implications for civic education. Specifically, the founding documents of the United States call for “exercising authority based on the consent of the governed” and she proposes that civics classes “evaluate the eligibility criteria [for citizenship] against this purpose,” exposing the country’s failure to provide legal membership for all students in our classrooms. While Banks remains tightly focused on citizenship as the fulcrum for evaluating “the consent of the governed,” this failure destabilizes the “progress narrative” of any US history or civic education course, calling into question far more than citizenship—a point we explore below.

In Chapter Three, Banks explores different foundations for citizenship, noting that citizenship is often a core element of an individual identity, but also that historically US citizenship has been associated with, or restricted, based upon elements of identity, including race, class and gender. In contrast, fidelity to an “American creed” based upon principles and norms (although these are contested), is often proposed as the basis of American citizenship, despite the long history of racial exclusion. Instead, Banks proposes an analysis based upon connections, the *jus nexi* principle utilized by the International Court of Justice in 1955 (pp. 45-46), noting where a person has the genuine connections that far exceed connections to any other nation. This principle, Banks argues, operated in the 1986 Immigration Reform and Control Act that granted Legal Permanent Resident (LPR) status to over sixty percent of the unauthorized migrants then in the US based upon continuous residence, a clean legal record, basic English

and an understanding of US history and government (pp. 47-8). She also identifies two principles of popular sovereignty that would compel the US to grant full citizenship to long-term unauthorized migrants. Under the “all affected interests,” everyone affected by the laws of a nation (or smaller unit of governance) deserve the formal membership that gives them a vote and formal say in making those laws. Banks notes that, given the reach of US foreign policy, all peoples in the world could, by that principle, demand a vote in American elections. A narrower principle, the “coercion principle” restricts membership to those who can be subjected to state coercion. The second principle still would require citizenship for long-term residents in the country (p. 51). Banks argues that in our classrooms with mixed citizenship status children, teaching and analyzing the *jus nexi* principle as an alternative basis for US citizenship and how that might look, or examining European Union grants of long-term resident statues with various legal rights more often associated with citizenship, or coming up with their own creative approaches to citizenship, equips students to confront the increasingly diverse citizenship and immigration statuses they will encounter in their own classrooms (pp. 56-7).

In Chapter Four, Banks provides a series of activities, sometimes based in part on primary source materials supplied in the appendix (for example the Chinese Exclusion Act case or the Essential Workers Bill). The strength of the resources in the book is that they all call upon students to actively engage in activities and with sources concerning the boundaries of citizenship. Suggested activities include holding a committee meeting to discuss testimony “heard” (read in this case) about the Chinese Exclusion Act, simulating a Congressional committee reworking citizenship acquisition rules for children born to one parent living abroad, small group work to analyze the non-agricultural worker visa program, or Dreamer narratives. These activities are necessarily lightly sketched out, and the primary sources are illustrative of what a teacher pursuing these topics might find. These lessons powerfully illustrate how a course informed by Bank’s charge to investigate the boundaries of US citizenship as currently distributed might interrogate those limits in different eras, with different sources and simulations. Teacher educators looking for materials that might assist their students who are not yet classroom teachers, or beginning in the classroom, may wish to examine the *Choices for the 21st Century curriculum on Immigration and the US Policy Debate* (2018, <https://www.choices.edu/curriculum-unit/immigration-u-s-policy-debate/>). Utilizing the questions Banks poses will change the way a teacher and class approach the materials, but the curriculum unit itself, as a fully designed multi-day classroom ready package, can provide those just becoming teacher with a more developed set of scaffolds for the reading and role play instructions that can help them carry out the powerful instruction Banks envisions. For middle level learners, Monte-Sano’s *Read Inquire Write* (<https://readinquirewrite.umich.edu/>) provides helpful examples for structuring inquires on a challenging concept (such as the boundaries of citizenship) utilizing (and adapting) based upon multiple sources.

Reimagining Citizenship and Civic Education

Like Banks, educators across disciplines recognize the importance of disrupting the concepts of citizen and citizenship, not as “markers of legal status but as signifiers of the rights of individuals to participate fully in civic communities at local, national, and global levels regardless of age or legal residency” (Mirra & Antero, 2017, p. 137-138). Therefore, Banks’ analysis of the boundaries of citizenship, particularly her argument for citizenship-as-participation, outlines a useful perspective for operationalizing the *jus nexi* principle in ways that promote inclusion and broader civic engagement, providing an enriching legal lens to recent pedagogical approaches in civic education.

For example, civic educators learned from the powerful work of Dianna Hess and Paula McEvoy (2015) the “best practice discussion classrooms” whose teachers are open to multiple student viewpoints and consciously seek to present controversial public issues not only for discussion but for student deliberation, results in an entirely different level of student engagement in the classroom and in civic participation afterwards. Participation in “best practice discussion classrooms” was associated with engagement in civics and politics after high school graduation. Parker and Lo (2016) demonstrated that active engagement need not come at the expense of formal knowledge. In a series of studies carried out over the past decade, they showed that centering an Advanced Placement Government course on a series of simulations resulted in scores equal to those of students who took a more traditional lecture-based course, and the students in the active simulation course outscored their lecture class peers on a pencil and paper test of formulating a plan for political action to influence public policy around a current controversial issue. Beth Rubin recently demonstrated that a Youth Participatory Action Research (YPAR) approach could engage urban students in critical examinations of issues—such as segregation, police repression, and inequities in available housing and jobs—which, unaddressed, might lead to the disaffection Banks predicts if classes ignore the disparate citizenship statuses of our students. Active learning strategies for civic engagement exist and make a difference. Rebell (2018) reminds us that all too often civics is either never taught, or shunted to a single semester, or squeezed out to make room for English Language Arts and mathematics.

In this context, Banks’ book offers a timely and compelling challenge to educators who may build upon these existing resources in civic education. Banks’ focus on reimagining citizenship, and, by association, reframing civic education based on new and more inclusive notions of participation and belonging, are especially timely in the current age of mass migration, in which many who are essential to, and very much part of, our communities, are marginalized by a divisive national discourse that positions immigrants of particular status, and mostly Black and Brown, as unwelcome and responsible for the erosion of American values, as well as a drain on the economy. In addition to providing an interdisciplinary rationale for an approach to civics education that is grounded in the necessary interrogation of exclusionary boundaries in taken-for-granted principles such as those commonly accepted about citizenship, Banks incisively demonstrates how these unquestioned democratic ideals also mask racism, classism, and other forms of prejudice and discrimination. In her concluding chapter, she argues that

Membership systems are often created in ways that reinforce hierarchies. Narratives are developed to explain and justify the hierarchies, and they are internalized over time, which makes it challenging to question the membership boundaries. (p. 76)

Banks’ message in this concluding chapter transcends the carefully focused argument she makes throughout the book, challenging educators and all members of our society to think beyond existing boundaries and distinctions that can lead to exclusion and marginalization of the most vulnerable, whether it be due to race, culture, wealth, ability, gender or any other category of difference. As Juan Guerra invites us to consider, perhaps one generative way to think about citizenship is in terms of membership across boundaries. He argues that to “become transcultural citizens, our students must of course first develop the meta-awareness that comes from knowing that discourse operates in very different ways across the varied communities to which they belong” (2012, p. 96). Thinking about citizenship in an entirely different field, as a literacy scholar, Guerra’s argument echoes Banks’ call to engage critically with the principles that guide our democracy, recognizing that discourses operate very differently across areas of

difference. Such meta-awareness, buttressed by a wealth of resources in civic education and enriched by Banks' approach to the robust examination of the American democratic principles we hold dear, offers civic educators a way to continue their work toward forming a more perfect union" (p. 77).

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