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Urban Citizenship and Globalization

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What it means to be a rights-bearing member of a territorial nation-state has changed significantly over the last quarter of the twentieth century. After several centuries of triumph over other forms of membership in the political community, the very notion of national citizenship appears unsettled. In a few of the world's 191 sovereign states, processes of disintegration have advanced to the point that the nation-state is no longer the locus of primary affiliation. In some cases, more local and sometimes shifting memberships replace it; in others, more diasporic and deterritorialized affiliations seem paramount. In most nations, however, national citizenship is still the primary envelope of affiliation and loyalty. Yet, in the last several decades, global processes of change of unprecedented force have so affected the meaning and substance of many national citizenships that the resulting social morphologies seem unfamiliar even to their members.

In many instances, nations have become patchworks of culturally heterogeneous urban spaces. Some of these city-regions are a veritable babble of polyglot, marginalized, and nonnational migrant populations. In most cases, heterogeneity is not so extreme because processes of assimilation to a national language and culture remain strong. Nevertheless, most cities experience a remaking of political mobilization through local civic affiliation that is significant. As the inequalities and injustices with which so many people live are great, such changes may well be for the better if they force a reformulation of the principles of membership and the distribution of resources. In the context of this kind of world transformation, it becomes imperative to understand in what ways and by what forces citizenship has changed as a fundamental status of membership in modern society. How does contemporary globalization affect citizenship and the prospects of both local and national democratic participation? Which global forces, in what contexts, by which processes, and with what consequences?

I propose that of the major forces of contemporary globalization, the one of particular importance for citizenship is the globalization of democracy. Since the mid-1970s, the rights-discourses of democracy have circulated throughout the world with remarkable force. They have turned democracy into both a global value and a global process of transformation that no single bloc of nations or cultural tradition can claim exclusively. Moreover, this globalization has severed democracy from its tight historical association with national citizenship and thereby

with discrete, unified, neatly bordered nation-states. In the most diverse societies, the rights-discourses of global democracy have mobilized new forms and forces of citizenship to engage many of the consequences of other processes of globalization. I argue that the discourses of democratic rights are particularly engaging because they address the social and economic inequalities that so many people suffer and that the globalization of capital and labor in recent decades has intensified. I am not suggesting, let me emphasize, that democracy is either necessary or preparatory for global capitalism. Rather, the globalization of democracy is a force in its own right, sometimes benefiting and sometimes restraining capital markets. The fact is that people use democratic rights to fight not only authoritarian rule but also ruthless capitalism.

I further suggest that cities—and metropolitan regions especially—are the crucial sites for the impact of global democracy and the strategic arenas for the development of new citizenships. Cities make the consequences of global capitalism and migration a lived experience for masses of people, manifest in urban spatial forms, social (dis)organization, property relations, living conditions, service and resource distributions, job opportunities, and economic crises. As people struggle over the conditions of urban life, they mobilize around right-claims that address the inequities of these conditions. In the process, they become active citizens, developing new sources of rights and new agendas of citizenship. In this way, the lived experience of cities becomes both the context and the substance of emergent forms of citizenship. I will refer to these forms as urban citizenship (1) when the city is the primary political community, (2) when urban residence is the criterion of membership and the basis of political mobilization, and (3) when right-claims addressing urban experience and related civic performances are the substance of citizenship. Thus, I propose that one of the significant consequences of the globalization of democracy for city-regions is the generation of new urban citizenships. In these terms, urban citizenship does not necessarily supplant or negate national citizenship. But it has two important consequences. It leads to a reformulation of national citizenship and it is available to nonnationals. By the latter, I mean that resident nonnationals can become urban citizens, exercising substantive but not formal (i.e. national) citizenship.

There are many urban conditions that become the substantive concerns of new citizenships. I will focus on one condition that seems to me a fundamental and predictable catalyst, namely, illegal residence, a category that encompasses diverse forms of illegality and that characterizes the urban experience of masses of people in metropolitan regions throughout the world. Some of these residential illegalities are consequences of recent globalization and some are consequences of earlier processes of urbanization that recent changes exacerbate. Typically, the urban poor—many of whom are disenfranchised—are drawn to the rights-discourses of democracy as a means to redress the many disabilities that their illegal residence produces. They use the newly legitimate language of rights to advance an agenda of "rights to the city," claiming rights to resources not in the name of national citizenship—not, in other words, because they are Brazilians or Mexicans—but because they are city residents. Thus, illegal residence in the

city becomes the basis both for new citizenship mobilizations and for a conception of citizenship based on urban residence. Furthermore, when city governments respond to illegal residence, their policies often lead, paradoxically, to new legal regimes that legitimate this urban citizenship. As a result, the city's poor succeed in expanding citizenship to new social bases. In this situation, urban policymakers and city residents together generate new forms of citizenship and reform legal codes around agendas for a more social democracy. As I suggest below, nationalistic and xenopbohic reactions such as the criminalization of the poor and the dismantling of state social services may undercut this new urban citizenship. However, they do not abolish it.

In evaluating the effects of recent globalization on citizenship, it is important to recognize that the rights-discourses of democracy are themselves heterogeneous and are variably absorbed and utilized. Such variation produces significantly different results in the context of illegal city residence. In what follows, I first discuss the globalization of democracy and its discourses of rights, and then use two examples to demonstrate its impact on citizenship, the importance of cities and illegal residence, and the differing results. The first case is the metropolitan region of São Paulo, Brazil, and the second is the city of Oceanside, located within the suprametropolitan region of San Diego and Los Angeles in Southern California. If São Paulo is more typical of city-regions structured by national populations of rich and poor in emerging democracies, Oceanside represents the development of more polyglot and nonnational cities within established democracies.

THE GLOBALIZATION OF DEMOCRACY

The recent expansion of democracy has taken root in remarkably varied ground. I will use data for electoral democracy to illustrate its globalization. In just twenty-five years, since the mid-1970s, the number of electoral democracies has more than doubled. During this period, approximately seventy-four countries changed from nondemocratic to democratic political systems. In 1972, there were 52 electoral democracies, constituting thirty-three percent of the world's 160 sovereign nation-states. By 1996, the number had risen to 118 democracies out of 191 states, or sixty-two percent of the total, for a net gain of 66 democratic states. Among the larger countries, those with a population of one million or more people, the number of political democracies nearly tripled during the same period. Significantly, the number of nondemocratic states has declined by a third since the early 1970s, after rising steadily from the beginning of the century. If it took almost two hundred years of modern world history to generate about fifty democratic states by 1970, it has taken only ten years of political change since the mid-1980s to yield the same number of new democracies. The wave of democratic change that began in the mid-1970s—the third or fourth wave since the Age of Revolution—is by far the strongest. As Tables 17.1 and 17.2 indicate, never before has the world experienced such democratization as in the late twentieth century.[1]

Table 17.1. *Democratization in the twentieth century*

Year	Total states	Electoral democracies	Nondemocratic states	% electoral democracies of total states
1922	64	29	35	45.3
1942	61	12	49	19.7
1962	111	36	75	32.4
1973	122	30	92	24.6
1990	129	58	71	45.0
1996	150	87	63	58.0

Note: Huntington's estimates omit countries with a population of less than one million. I use "Electoral Democracies" where Huntington has "Democratic States" to emphasize the defining role of elections in the political conception of democracy he employs. For comparative purposes, I also omit countries with a population of less than one million for year 1996.

Sources: Years 1922–90 are from Huntington 1991: 26 (Table 1.1); Year 1996 is derived from Freedom House 1997.

Table 17.2. *Third-wave democratization, 1972–96*

Year	Total states	Electoral democracies	Nondemocratic states	% electoral democracies of total states
1972	160	52	108	32.5
1977	164	56	108	34.2
1982	167	60	107	35.9
1986	167	67	100	40.1
1992	186	99	87	53.2
1996	191	118	73	61.8

Note: Includes all sovereign states in each year.

Source: Derived from the annual surveys of political rights and civil liberties in Freedom House 1978, 1983, 1987, 1993, 1997.

This movement for political democracy has swept over every region of the globe. The sheer number of national transformations reveals a world politically remade. In the early 1970s, one-party regimes and military dictatorships of various sorts held power over most of Latin America, Africa, Asia, and Eastern Europe. In 1975, only three countries in all of Latin South and Central America had democratically elected national leaders, namely Colombia, Costa Rica, and Venezuela. At the same time, the Soviet empire held much of Eastern and Central Europe and Central Asia in undemocratic union. Of the thirty-six countries that gained independence in Africa between 1956 and 1970, thirty-three became authoritarian at birth or shortly thereafter. The exceptions were Botswana and short-lived electoral democracies in Ghana and Nigeria. If African decoloniza-

tion produced most of the world's new states in the 1960s, it also yielded the most sustained wave of authoritarian new governments in history (see Bratton and Walle 1997). In the Asia-Pacific region, only a handful of countries had democratic regimes in 1975, including Australia, Fiji, Japan, New Zealand, Papua New Guinea, and Sri Lanka. Others, such as India, Pakistan, the Philippines, and South Korea had suffered democratic reversals in the 1960s and 1970s.

By 1996, however, democracy had dramatically transformed the political development of all these regions. Among the 35 states that compose the Americas, 31 are today electoral democracies (89 percent). In South and Central America, of 20 nations, only Peru and possibly Mexico cannot be called at least formally democratic. Of the 53 countries in contemporary Africa, the number of electoral democracies has increased to 18 (34 percent). In the Asia-Pacific region, 24 of its 38 nation-states are now politically democratic (63 percent). With the collapse of the Soviet Union, 19 countries have become democratic out of 27 in the region it used to control (70 percent). Only in the Middle East has democracy been stagnant in terms of national rule, where 2 out of 14 states (Israel and Turkey) are democratic (14 percent)—though it is important to observe that *local* democratic projects and debates about democracy abound throughout the region.

Indisputably, with this new wave of democratization, democracy has become a global value, adopted by the most diverse societies and cultures. This transcultural scope raises a host of questions as to how to assess democracy's quality and its relation to citizenship in such diverse situations. I doubt that the political theories of democracy anchored in Western history and culture remain adequate for understanding its global reach and its non-Western experience. Elsewhere, I have suggested an alternative approach (see Holston, forthcoming). Here, I want to emphasize a number of related points about citizenship. Although I have just relied on a survey of electoral democracy to establish its globalization, it is crucial for researchers and policymakers alike to understand the limited importance of elections in evaluating emerging democracies. A deeper study of these cases than surveys permit shows beyond doubt that political democracy is not enough to secure the civil rights of citizenship or to produce a democratic rule of law. Without both, the realization of democratic citizenship remains disabled. To get a better understanding of the quality of democracy, it is necessary to study not only elections but also the realization of the substance of citizenship in a much fuller sense. That means evaluating its full array of socioeconomic, civil, and cultural rights in addition to political rights. It means studying its cultural and social conditions in addition to its formal institutionalization. Certainly, this kind of anthropological analysis is more difficult and untidy than electoral minimalism. But it is vastly more accurate of the actual conditions that legitimate or discredit democracy, citizenship, and law.

From this more complex perspective, it is clear that in both emerging and established democracies the distribution of democratic citizenship is typically uneven among citizens in a given political space. That is, it is normal for democracy to expand in some areas of citizenship while contracting in others and for those who are formally citizens to experience it differently. In this sense,

democratization is normally what I call disjunctive: It comprises processes in the institutionalization, performance, and meaning of citizenship that are always uneven, unbalanced, and heterogeneous. Two types of democratic disjunction are especially prevalent and suggest why cities are such salient sites for the constitution of different citizens. First, my research indicates that approximately 65 percent of third-wave democracies experience a similar disjunction: Although their political institutions democratize with considerable success in the sense of promoting reasonably free and fair elections, respected political rights, and functioning elected institutions, and although they promulgate constitutions and legal codes based on the rule of law and democratic principles, their citizens suffer systematic violations of civil rights. With the civil component of citizenship seriously impaired, the citizens of these electoral democracies usually experience violence, injustice, and legal disability more than they realize the stated norms of their constitutions (see Holston, forthcoming).

Thus, these democracies are both electoral and uncivil (as I call them) at the same time. As a result, uncivil electoral democracies share certain significant features of citizenship: Their institutions of law and justice undergo delegitimation; violent crime and police abuse escalate; the poor and the ethnically other are criminalized, dehumanized, and attacked; civility and civil protection in public space decline; people abandon the public to retreat behind private security; and illegal measures of control receive massive popular support. Across the nation, the civil components of citizenship are unevenly and irregularly distributed among citizens. In emerging democracies, the impairment of the civil component of citizenship often affects the majority of citizens, especially the poor. In established democracies, this disjunction more usually affects racial or cultural minorities. Other types of democratic disjunctions also occur and often at the same time. For example, in the United States the civil rights of innercity minorities are regularly violated, legally resident nonnationals—a significant segment of many American cities—have no political rights (though they did before World War I), and social rights for all Americans are scant.[2]

The second prevalent democratic disjunction concerns the relation between the formal status of citizenship and the substantive rights people exercise. Although in theory membership entails full access to rights and access depends on membership, in practice the two are often independent of each other. Thus, formal membership is increasingly neither a necessary nor sufficient condition for substantive citizenship. For the urban poor, for example, formal membership in the state is not sufficient to prevent exclusion in fact or law from the rights of citizenship and effective participation in its organization. This disjunction also affects what I would call life-style minorities, groups particularly important in cities. Often their preferences for "the good life" as they define it—for example, in terms of religious practice or sexual orientation—are not embodied in the national consensus of rights. Even though these groups are comprised of national citizens and form residential communities that overwhelmingly approve their preferences, they can neither exercise nor protect the identities most

important to them with security. It is now evident that the disjunction of formal membership without much substantive citizenship characterizes the quality of democracy in many of the societies around the world that have experienced democratic transitions in the last twenty-five years.

That formal citizenship is less necessary for access to substantive rights is also apparent, especially in established democracies that have large populations of legally resident noncitizens such as the United States. Although formal membership may be required for some rights, like voting, it is not for most. Hence, legally resident noncitizens (and sometimes illegally resident ones) often have virtually identical social and civil rights as citizens. Furthermore, those rights that are exclusively reserved for citizens are often perceived as onerous, like military service and jury duty. As a result, immigrant noncitizens may not be interested in acquiring national citizenship, particularly if naturalization compromises their rights of return or of property and inheritance in their homelands. Thus, though they are not citizens, these residents have access to citizenship rights similar to those of national citizens of comparable socioeconomic experience, except that they have no political representation. This condition is typical, for example, of the large number of long-term legally resident Mexicans in the United States, most of whom live in cities. As I will show in the case of Oceanside, their lack of political representation is a major problem for American democracy.

It may also be said that many citizens perceive the near parity of social and civil rights with noncitizens as unfair and demoralizing. They may even perceive it as devaluing the institutions of national citizenship in both a moral and an economic sense. Such is the case in the United States and is the motivation behind ballet initiatives in several states to ensure that illegally resident noncitizens do not receive the social benefits of citizens—the most famous being California's Proposition 187 of 1994 which made "illegal aliens ineligible for public social services, public health care services (unless emergency under federal law), and attendance at public schools [and required that] state/local agencies report suspected illegal aliens." Such perceptions of the demoralization of national citizenship are also the source of recent federal acts in 1996 and 1997 that the Republican-dominated Congress passed to restrict welfare rights to even legally resident noncitizens. Perhaps paradoxically, perhaps intentionally, one consequence of this legislation is that more resident noncitizens applied for and received national citizenship in 1998 than ever in the history of American naturalization.

These two types of disjunction—uneven citizenships and discrepancies between form and substance—are today characteristic of global democracy. They make it impossible to define contemporary citizenship in terms of uniform national membership. This is not to gainsay nationalism as a global force today or to deny that many cases of democratization involve national self-determination through elections. It is rather to observe, first, that democracy's project of national identity through citizenship is different from the homogenization of ethnicity and polity on which nationalism depends (see Gellner 1983); and,

second, that although this project may include democratic elections, it entails a more complex notion of membership. Indeed, the disjunctions I have described make it difficult to attribute to contemporary democratic citizenship the unifying social ground that T. H. Marshall's classic study supposed would be its national foundation, namely, "a direct sense of community membership based on loyalty to a civilization which is a common possession" (1977: 94, originally 1950). This normative ideal of a nation of commensurable citizens who share a culture of citizenship rights, practices, and meanings *in spite of all other differences* may have been fundamental to the modern origins of democracy. Ironically, however, this project seems less plausible today with democracy's global expansion.

If neither the drive for commensurable national identity nor the sense of common culture fuels this expansion, what does? What makes democracy resonate deeply with the aspirations of so many different peoples and societies? Part of the answer is surely that democracy has become overwhelmingly identified with rights and not with other components that might conceivably make up its understanding, such as civic duty, direct participation in the business of rule, institutionalized accountablity, or procedural justice. It is the rights version of democracy that has such universal appeal. Over the last several decades, the language of democratic rights has become a universally legitimate mode of contestation. Casting claims in these terms seems to legitimate them. Moreover, this universality derives from the United Nation's Universal Declaration of Human Rights of 1948 and not from the hegemony of any specific national (e.g. American) version. As I will show with the case of São Paulo, the discourses of rights that are especially motivating refer to the new collective and personal spaces of the modern metropolis—especially the experiences of daily life and residence rather than of work. As this urban residential experience is largely new, the rights-discourses that address it give the urban poor an unprecedented sense of power and creativity to forge new kinds of citizenships outside the old normative, institutionalized, and often outdated and repressive definitions of the state. Thus, the rights-discourses of global democracy are grounded in both personal and collective urban experience.

That said, let me also stress that democracy's rights-discourses are variable and fluid. They acquire different meanings in different contexts to the extent that I do not think it useful to attempt a general and systematic definition. In Brazil, the language of rights that mobilizes most people concerns socioeconomic (but not civil) rights; in Argentina, rights to memory and to justice; in the United States, rights to difference. Perhaps it is possible to conjecture that democracy mobilizes such diverse peoples globally because, at least in part, its aura of rights draws them to the animating idea that as human beings they have an inalienable "right to rights," as Hannah Arendt put it. Perhaps, less mystically, the answer is also that as people become modern urban workers, they feel that they have a right to rights because they are productive and contributing members of the public sphere of the city.

RIGHTS TO THE CITY: SÃO PAULO, BRAZIL

Beginning in the 1940s, the vast urban periphery of the city of São Paulo developed as a region of mainly residential neighborhoods for poor workers. In many ways, its development is paradigmatic of the growth of residential peripheries around most of the major cities in the developing world. Transforming these cities into metropolitan regions, the urbanization of the hinterland brings enormous social, political, and economic consequences. I will use São Paulo's periphery to illustrate the impact of global democracy on a city-region spatially and socially structured by nationally oriented processes of industrialization. To evaluate this impact, I need first to outline this structure and to establish the model of citizenship for the urban poor prior to the onset of global democracy.

The structuring of São Paulo's periphery as an urban space occurred during the postwar period of nationalist industrial development that peaked in the early 1970s under military dictatorship. The periphery began to take urban shape in the 1940s as the place for the settlement of masses of new migrants drawn to the city's flourishing industries. It emerged as the "solution" to the housing crisis of the 1940s: As São Paulo received waves of new migrants, its market in new housing shifted from rent to ownership, excluding most of them. The state encouraged this shift through a number of policies, the most important of which were rent control and master urban plans. The Renters Law, 1942–64, discouraged investment in new rental units by freezing rents well below inflation for two decades. At the same time, the state implemented a series of urban plans—such as the haussmanian Plan of the Avenues in 1938—to remodel the center of the city and to open the periphery through road construction. Linked to these policies of urban management was the creation of federally funded banks that were supposed to enable qualified workers to become home owners but whose funds were mostly usurped by the middle classes. As a result, investors lost interest in cheap rental units in centrally located tenements and row houses that had been the initial types of housing for the urban lower classes. Instead investors turned their attention to the largely undeveloped hinterland. City government also made this area attractive to investors by continuing to consider it under the legal category "suburban" until the 1960s and by ignoring the tangle of property relations that characterized it. Thus, zoning laws did not require urban infrastructure or centralized title searches. As a result of this shift in interest, new kinds of speculators arose in bus transportation, construction materials, and tract housing to open the periphery for low-income residence.

Tethered to city jobs, São Paulo's workers were pushed out of the central city and into the empty hinterland to fend for themselves. Occasionally, they found cheap tract houses to buy through installments paid to a private developer. Mostly, however, they had to find a plot of accessible land on which to build their own homes. This latter process is called autoconstruction (*autoconstrução*) and refers to the transformation, usually over decades, of an initial shack of wood or concrete block into a finished, furnished, and decorated masonry home—a dream

house that is for most autoconstrutors their greatest lifetime project. As each wave of migrants went further out into the hinterland, where the only infrastructure they found was the dirt road speculators put in to sell the land, these house builders became modern pioneers of city-building.

The force of their expansion of São Paulo's periphery has been astonishing. In 1940, this hinterland was essentially unpopulated. In 1991, according to the last national census, 32 percent of the entire city, more than three million people, resided in the poorest areas of the periphery, in the eastern, southern, and northern districts. One of the largest of these districts, São Miguel Paulista, has annual population growth rates that are typical: for 1940–50, 7.7 percent; 1950–60, 15.2 percent, 1960–70, 13.6 percent; 1970–80, 6.6 percent (Caldeira 1984: 38). The change from rent to ownership is just as impressive. According to national census data in 1940, renters occupied 68 percent of the total residences in the municipality of São Paulo. By 1980, this proportion had dropped to 40 percent and the number of owner-occupied residences had increased from 25 to 51 percent (Bonduki 1983: 146). Among low-income households, home ownership is practically the norm: in 1987, almost 60 percent of them throughout the municipality lived in their own homes (Metrô 1990: 30). In São Miguel Paulista, as in the other poorest districts of the periphery, the number is even higher: 69 percent were home owners and only 23 percent renters in the 1991 census.

By the end of the 1970s, the industrialization of metropolitan São Paulo had produced a rich urbanized center, some urbanized areas of concentrated industrial development (such as the so-called ABCD region of the municipalities of Santo André, São Bernardo, São Caetano, and Diadema), and a dispersed, largely unurbanized residential periphery of enormous extent for the poor. In her study of this periphery at the time, Teresa Caldeira (1984) presents the following contrasts: With only 7 percent of the households, the center was almost completely served by electrical and sewage lines and its roads paved. Nearly 75 percent of its households had telephones and less than 20 percent made under five minimum salaries a month.[3] By contrast, with 22 percent of the city's households, the periphery was "the bush" as residents called it. Almost 75 percent of its roads were dirt, which became mud in the rainy season. The vast majority of residents worked far from home, spending about 3.5 hours a day commuting on overcrowded buses and trains. Although 79 percent of the periphery's households had potable water and 97 percent electricity by 1980, only 19 percent were served by sewage lines and less than 5 percent had telephones. Nearly 65 percent of its households made less than five minimum salaries a month. The infant mortality rate was a staggering 81 deaths in the first year for every 1,000 live births. A longer list of contrasts would only show the same thing: a city-region systematically segregated through a combination of market forces and government policies.

The periphery is also overwhelmingly illegal. One study by São Paulo's department of urban planning estimates that in 1990 approximately 65 percent of the city's entire population resided in violation of housing or property laws

(Rolnik, Kowarik, and Somekh 1990: 95)! In many parts of the periphery that figure is even higher.[4] Migrants initiate their settlement in the periphery either by purchasing a house or, much more likely, a house lot on which to build. A relatively small number of people seize their lots without any payment.[5] All of these options almost invariably result in some form of illegal residence. People who squat on seized land have no legal rights to it, though the law tends to recognize their ownership of what they build. Those who purchase lots or houses thereby have some legal claims to own them. However, they usually find that the developer's illegal methods of selling—ranging from outright fraud to the failure to provide the basic urban services required by law—jeopardize legal recognition of the deed.

I want to spend a moment discussing the "illegalization" of residence in the periphery to demonstrate how it is structured (if not promoted) more by urban land law and policy than by illegal activity on the part of the urban poor, though the contrary is often assumed. Without understanding that structuring of illegality, it is not possible to understand why issues of residence galvanized people's interest in democratic rights. As defined in zoning codes, people buy house lots in four types of subdivisions: the legal, irregular, clandestine, and fraudulent. The fully legal is rare. The last three usually exist side-by-side in the same neighborhood, combining the illegalities of several types. The most serious problem is that irregular and clandestine subdivisions are also usually developed on the basis of larger or smaller frauds by developers who claim to have legitimate title to the land. Moreover, especially when the land is relatively unbuilt, developers often sell subdivisions to other developers (swindler to swindler) who redivide the land on paper and sell the lots again to other home builders. Sometimes, the same developer redivides and sells the land over and over. Each new subdivision brings threats of eviction to those who have already built, as developers superimpose layers of lots, frauds, and victims.

When people buy a lot in an illegal subdivision, they cannot register their deed of title in the appropriate public registry until they correct the infraction. Without registration, there is no ownership. However, it may take residents years to discover that there is a problem for two reasons. First, they can only apply for a registered title by proving that they have completed all payments on their "promissory contract" of purchase, usually stipulated in terms of ten years of installments. This bureaucratic regulation sustains many a swindler. Second, swindlers typically provide reams of bona-fide records—such as sales receipts, tax documents, lot surveys, and protocols for preliminary deed registration—of transactions based on frauds not yet discovered. These bona fide records are the basis for leading people to believe that they will eventually be able to register their deed. However, the documents are mostly useless for purposes of registration. When residents finally discover that their purchased lot and/or residence is illegal, they learn that they cannot obtain title, that their claims of ownership are endlessly entangled in bureaucratic procedure, that their lifetime investment is imperiled, and that they are threatened with eviction.[6]

I have analyzed elsewhere the historical and legal specificities of this overwhelming condition of residential illegality (see Holston 1991). Here, I want to suggest some of its sources in the institutions of Brazilian law and urban policy. The developers' stratagems themselves suggest that such sources are paramount. Drawing inspiration from the intricate formalism of the Brazilian legal codes and bureaucracies—one that requires notarized copies and signatures with appropriate stamps and seals for even the most banal transaction—these stratagems model their deceptions on the very laws they violate. That is, they use bureaucratic complication as a means to deceive. The endless formalisms and procedural complexities of Brazilian law provide swindlers many opportunities to give their operations the appearance of legality. They can weave together so many apparently legal documents that even lawyers and judges are fooled, let alone humbler folk who are apt to be more intimidated by official-looking papers. Given that registries are decentralized and that some kinds will register as "original" any document without having to attest to its content, documents that are legally registered in one may be based on false or irregular documents from another. The result is that it is usually exceedingly difficult to determine who owns what beneath the layers of legal complication.

Hence, if disputes are litigated, they are frequently impossible to settle in court. Rather, they circulate forever through the bureaucratic system, awaiting more conclusive but nonexistent evidence on the merits of competing claims. As long as the disputes are left unresolved, the judicial system itself enhances the sense of impunity and thereby encourages further illegalities. Eventually, often twenty to fifty years later, land disputes get solved through extrajudicial maneuvers, such as amnesties and accords, in which executive or legislative institutions of government intervene to declare the judicial system checkmated and to legalize claims. By that time, the illegalities are indelibly established. Thus, such governmental interventions legalize usurpations of land and thereby insinuate illegal and extralegal practices into law. This process of legalizing the illegal is, in fact, an ancient practice, having been perfected by colonial elites as a dependable means to increase their patrimony at the expense of the Portuguese crown (Holston 1991).

The analysis of land tenure in the periphery demonstrates the fundamental, if paradoxical, role of illegal residence in this kind of city-regional development. Both developers and migrants seem to understand that the very illegality of land in the periphery makes it accessible to those who could not afford the prices of legal residence. Land policy, bureaucratic complexity, and judicial irresolution make it possible for developers to get away with illegally opening the periphery to new settlement for a very long time. In many cases, extrajudicial and political solutions eventually legalize the precarious land claims. Illegal land occupation is, therefore, a good bet in Brazil; that is, a reliable way for speculators to make money and for the urban working poor to win legal access to land and housing that would otherwise be beyond their means. Thus, a fundamental relationship between illegality and legitimation characterizes the periphery's development: usurpation initiates settlement and reliably precipitates the legalization of land

claims. This relation indicates, moreover, that distinctions between the legal and the illegal, which often seem conceptually "hard," are rather strategically unstable as it is one of the important social functions of land law to facilitate the transformation of one into the other. I am not defending this system. Its social and institutional costs are exorbitant. Rather, I am emphasizing its importance in structuring the periphery through illegal residence. The point is not that "the law doesn't work" or that "there is no law" as one often hears in Brazil, but rather that it works differently from the way one might expect. By facilitating complication to the point of judicial impasse and by establishing a reliable path to eventual extrajudicial legalization, law stimulates regional development through illegal occupation.

The urban periphery thus structured through illegal residence developed most intensely from the early 1950s to the early 1980s. During this entire period, the model of citizenship in force was that established during the 1930s and 1940s by the government of president and dictator Getúlio Vargas. As Santos (1979) and others have shown, Vargas structured a restrictive citizenship at the core of which was a set of state-sponsored social rights focused on labor. Access to these rights depended on the possession of a registered labor contract in a state-regulated occupation and not only on the status of national citizenship. However, only a fraction of workers were thus registered and entitled to rights. For these workers, Brazilian citizenship was entirely defined within the political and legal boundaries of the state and amounted to privileges of particular labor categories rather than common rights of membership in the nation. Citizenship did not refer to the new urban conditions of workers' residence in the periphery. It emphasized social rights relating to labor but lacked political rights and many kinds of civil ones during the dictatorships of 1937–45 and 1964–85. For the rest of the population, rich and poor, citizenship was more or less an empty category: political rights were often curtailed by authoritarian regimes, social rights were restricted, and civil rights—either as legal norms or cultural values—were hardly woven into its fabric.

Into this regional structure of developed center and unurbanized residential periphery, military rule and restricted citizenship, democracy began to appear in the mid-to-late 1970s—as it did in many countries—as a force for change. Initially, it was the notion of rights more than the banner of democracy per se that inspired three broad movements: an interclass coalition of forces opposed to the military and demanding renewed political rights and direct elections; a trade-union movement demanding new labor rights such as the rights to strike and to organize freely; and the so-called new social movements of the urban poor demanding rights to the city. The latter in particular mobilized people around the redistributive right-claims of citizenship—the conviction that people have a right, because they are rightful citizens (i.e. not criminals or bums), to a just distribution of resources. Not concerned with traditional issues of labor rights and political parties, these grassroots movements were new because they were located in the neighborhoods of the urban periphery and focused on the

residential conditions there of the urban poor. They focused their demands on the new collective and personal spaces of daily life in the modern metropolis, especially on the inadequacies and disabilities of their residential conditions. They demanded urbanization of their neighborhoods, forcing the state to respond to their needs for infrastructure and housing.[7] They claimed, and won, access to local health services, schools, and child care. With these claims, they brought the concerns of women and children into the traditionally male sphere of citizenship. Above all, they were concerned with the lives of the urban poor who had been excluded from citizenship. For the first time in Brazilian history, these people won rights by exercising social power from the bottom up.[8]

The new urban movements also expanded the scope and notion of social rights, because many of the urban problems they posed as issues of citizenship were not covered in current legal codes and constitutional definitions, most of which predated the periphery. For example, though they lobbied for the legalization of their land and houses, they also argued that property should not be amassed without a social utility. They claimed that property had to fulfill a "social function" or risk expropriation and redistribution. Such a claim relativizes the traditionally absolute right to property enshrined in the Civil Code and subjects it to a social evaluation. Thus, the urban social movements were unprecedented because they argued for new kinds of rights outside of the normative and institutional definitions of the state. These arguments culminated in the promulgation of a new federal constitution in 1988 that framed many of them as constitutional principles. During the Constitutional Assembly of 1986–88, grassroots forces gathered more than 12 million signatures in support of Popular Amendments, successfully pressuring the state to relinquish its juridical monopoly and include their concerns in the new constitution. During the next two years, state and municipal constitutional assemblies occurred throughout Brazil with similar results.[9] Thus, the grassroots social movements of the urban periphery created a new substance of citizenship by bringing the urban experience of the poor under the calculus of rights.

The expansion of rights to new sources (the experience of the city) and to new types of citizens (the urban poor) has also changed the conception of rights. In the positivist or "civil law" tradition that characterizes Brazil's legal system, the state is the only source that can establish the norms to which individuals must conform their behavior. These norms constitute the "objective law" over which the state exercises a monopoly of authority. In turn, individuals derive legal power from the norms. This power constitutes the "subjective rights" that individuals hold against the world. In this conception, rights are a kind of property that some possess and others do not. Influenced by the Liberation Theology of the Catholic Church in this regard, the urban social movements pose the idea of rights not as possessions but more as claims on society for the resources necessary to meet the basic needs and interests of members. In this sense, rights are rethought as claims for the minimums necessary to lead a dignified life. This change in the conception of rights applies mostly to the sphere of social rights

rather than civil rights, as the latter remain undeveloped as a component of the new urban citizenship. Nevertheless, in terms of rights to the city, rights are more thought of as deriving from social relatedness than from "objective norms." By that, I mean that although the state may formalize them, society establishes what the necessary minimums are and what they mean. An example of this rethinking is that of the social function of property I just discussed. In the Anglo-American tradition of common law, this idea of law-in-society is almost a taken-for-granted. But in the civil law tradition, it is a radical alternative for new sources of citizenship rights.

The idea that rights derive from social needs and relations rather than from abstract norms, and that new social experience is therefore a source of new rights, resonates with and amplifies a new sense of personal agency among urban workers. In the experience of being autoconstructors and city pioneers, of working in the modern city and becoming modern, residents of the periphery gain deeply felt capacities to contribute morally and politically to the public sphere. Even though poor, even if illegal, they have rights and dignity because they are modern urban workers, consumers, and taxpayers. These are people whom elites have traditionally viewed as marginals, excluded by class and race from their cosmopolitan modernity. Hence, the change over the course of one generation is significant. It also suggests the more radical proposition in Brazil that people's rights to the necessary minimums of life do not depend on their relative market worth or inherited social capital but rather on their absolute rights as citizens to a measure of economic well being and dignity. Potentially, this idea is radically redistributive of society's wealth because it attacks entrenched and elite-based explanations for relative worth and inequality.

In sum, with the globalization of democracy and its language of rights, the experience of residential illegality in the urban periphery of São Paulo generated a new legal regime of urban citizenship, with new types of citizens and new sources of rights. This regime defines the city-region as the primary community of citizenship for many of the poor for whom urban experience and especially illegal residence provides the basis of mobilization and substantive demands. Urban land law and policy promoted (and still does) the illegalization of the poor. But the rights-discourses of citizenship motivated people to redress the disabilities and injustices of illegal residence by making these very conditions the substance of their demands for a more just distribution of society's resources. For these people, urban experience sets the agenda through which they think themselves into politics and into the exercise of democratic rights.

The urbanized and politicized city-region that emerges under this impact of global democracy is thus quite different from the one structured under nationalist industrialization. As in many other metropolises around the world, the urban poor of São Paulo established a space of opposition—the periphery—within the city-region. This space confronts an old culture of citizenship with a new imagination of democratic values. Its insurgent citizenship opposes the modernist and developmentalist political projects of absorbing citizenship into a plan

of nation-building monopolized by the state. Such state projects homogenize the multitude of social and cultural identities of modern society to produce formally commensurable national subjects often, as in Brazil, without much substantive citizenship. Urban citizenship does the opposite. It has no formal standing in the sense that it is not recognized in the constitution along with national and state memberships. Rather, it is a de facto regime of new rights and identities. Having no formal status per se, urban citizenship is all substance and symbol. Rather than homogenize and dematerialize difference to arrive at a formal (national) identity, urban citizenship takes as its substance the heterogeneity and materiality of urban experience.

The citizenship of city-regions does not replace national citizenship. It does not obliterate the importance of the nation-state in continuing to sustain a type of citizenship. That end is nowhere in sight. However, in most emerging democracies, like Brazil, the new urban citizenship produces a reformulation of national citizenship because the new urban citizens are also, for the most part, national citizens. But they were citizens who had been effectively excluded from exercising their citizenship. Their new rights to the city changed this de facto disqualification because their new sense of empowerment as urban citizens made them demand a renewed national citizenship as well. Thus, a transformed national citizenship emerged after military rule in Brazil. In the last direct presidential election in 1960 before the military coup of 1964, there were 15 million registered voters, approximately 21.4 percent of the population. The rest of the adults were disqualified, mostly by literacy requirements. In the first direct presidential election after military rule, in 1989—after nearly two decades of urban social movements, abolishing literacy requirements, and lowering the voting age to sixteen—there were 82 million registered voters, approximately 58.0 percent of the population. For the elites, a new and uncertain Brazil of mass national citizens had emerged on the basis of the substantive citizenship of its metropolitan regions.

URBAN CITIZENSHIP AMONG NONNATIONALS: OCEANSIDE, CALIFORNIA

The emergence of the urban periphery as a space of insurgent citizenship in São Paulo is typical of the impact of global democracy on many city-regions in the developing world. Its impact on Oceanside is quite different but equally emblematic. Oceanside is a small incorporated city at the northern Pacific edge of the county of San Diego. Its sluggish economy revolves around agriculture, the U.S. Marine base at Camp Pendleton, and tourism. With about 150,000 inhabitants, it is not itself a metropolitan region. Rather, Oceanside is one of the many urban incorporations within the suprametropolitan region of Southern California that stretches from Tijuana, Mexico, north through the cities of San Diego and Los Angeles. As in São Paulo, illegal residence in Oceanside catalyzes the rights-discourses of global democracy and the emergence of an urban

citizenship. But Oceanside is an urban space marked by a very different kind of heterogeneity. Whereas São Paulo is structured by a national population that is overwhelmingly Brazilian and Portuguese-speaking regardless of other differences, Oceanside has significant numbers of resident noncitizens, mainly poor labor migrants and refugees from Central America, who primarily speak Spanish and who are often undocumented. It is a city divided culturally, socially, and politically between English and Spanish, Anglo and Latino, national and nonnational, citizen and noncitizen, legal and illegal, richer and poorer.

As such, Oceanside confronts a problem faced by many cities within established democratic nations that have both governments committed to democracy and significant resident populations of poor, linguistically heterogeneous, noncitizens: Either rule these noncitizens undemocratically or establish civic participation and democratic practice among them even though they are, by official national definition, politically disenfranchised and unrepresented, democratically unorganized, formally excluded, and often illegal residents. By less official but pervasive reckonings, these residents are also culturally "other." I will use an example from the innercity neighborhood of Crown Heights in Oceanside to analyze this dilemma and the impact of globalized democracy on it.[10]

Correlated with access to American national citizenship, these divisions of politics and culture visibly structure Oceanside's urban space into a poor center, inhabited predominantly by Latinos, and richer suburbs, inhabited predominantly by Anglos. With a population of about 4,000 people, Crown Heights is located in this center. Its foundations date from the mid-nineteenth century. Until the early 1970s, its residents were middle-class, primarily English-speaking, Anglos who owned and lived in single-family homes. Today, the residents of Crown Heights are 93 percent Latino and primarily speak Spanish. They have low incomes (43 percent of the households earn less than $15,000 a year) and generally little formal education (34 percent have six years or less). Often living in small apartments with several families at once, 93 percent of the residents rent. According to data from the City Planning Department, 70 percent of the households live in renter-occupied buildings that have a utility service turnover rate of 60 percent. The department interprets this rate to mean that Crown Heights has a significant population of transient renters who arrive illegally from the border and await transportation further into California. There are high levels of un-, under-, and unstable employment in the neighborhood. Typically, men find work as agricultural laborers and women either stay at home with the children (about 75 percent of the households have children under eighteen) or work as domestics in suburban homes. Crown Heights has only one active grassroots organization, sponsoring neighborhood cleanups on Saturday mornings, that is more or less independent of public sector or religious affiliation. There are a number of governmental and nongovernmental organizations administering various projects of social benefit in the neighborhood, such as the YMCA Pryde Program at the Americanization School, Partners for Healthy Neighborhoods, and the Teen Pregnancy Prevention Project. Drug use and gang violence are serious problems.

The adult residents of Crown Heights overwhelmingly do not have U.S. citizenship. They are predominantly recent immigrants from Mexico, though some have come from El Salvador and Guatemala. Most do not speak English or understand it well. Some are fluent only in an indigenous language and not Spanish. Their arrival in Crown Heights began in the early 1970s and increased dramatically during the next two decades as a result of changes in U.S. immigration laws in 1965 that altered the preference system from one that selected immigrants on the basis of national origin (favoring Europeans) to one that gave priority to people with family members already in the United States; the wars in Central America of the 1970s and 1980s that created a steady stream of refugees; and the economic boom in California in the 1990s that drew immigrants across the border. Many of those who came in consequence of the last two factors are undocumented and therefore illegal residents. It is, however, difficult to determine precisely the numbers among them of citizens and noncitizenss and legal and illegal residents because local census takers and service providers rigorously do not ask questions about citizenship or the legality of residence. As far as I can determine, they do so primarily to avoid having to report illegal residents for deportation or to deny them public services as mandated by Proposition 187. Rather, with regard to these issues, local government and service providers appear to have adopted an unofficial policy of "don't ask, don't tell." Therefore, regardless of status, residents of Crown Heights generally receive a number of welfare benefits similar to poor American citizens. However, unlike the latter, most have no political representation of any kind in either local or national government.[11] Moreover, they have little recourse to defend their civil rights if they are violated. Long suspicious of anything official, they avoid the law.

In 1998, the City Planning Department asked me for an "anthropological evaluation" of a series of problems relating to illegal food services in Crown Heights. The Planning Department felt that it needed an anthropologist to understand the "foreign culture" of the neighborhood. Due to residential zoning, Crown Heights has no local commerce of any kind—not even food stores or pharmacies —to serve the population. Although extreme in Crown Heights, the lack of accessible and reasonably priced commerce is a typical characteristic of poor innercity neighborhoods in the United States. Grocery stores at the margins of the neighborhood sell high priced and poor quality foodstuff and domestic supplies. Lower-priced and higher-quality chain supermarkets are not within walking distance, and most do not stock items that residents consider culturally appropriate to their kind of cooking. For a number of reasons, residents in Crown Heights like to shop daily: they generally do not have the money or freezer space for large purchases; women do the shopping and they usually do not have cars to transport such purchases; women like to bring their children shopping and make it a social event and consequently enjoy the urban public markets typical of their home countries; residents prefer fresh foods, especially meat that is butchered daily, and do not like the "old food" of the Anglo supermarkets.

For all these reasons, in the absence of local stores, two sorts of illegal operations arose in Crown Heights. One was in-home stores that sell fresh and prepared foods. Some also sell and administer medicines obtained in Mexico. In addition, mobile food venders appeared, selling groceries from trucks and vans parked on the street. Most have licenses for this commerce. But, for a number of reasons, they operate illegally in the neighborhood and create serious safety and trash problems. In response, the police began to close the in-home stores and ticket the venders who, in turn, stopped going to the neighborhood. The residents protested that the police were driving away their only sources of groceries. Realizing that the problem has significant social consequences for the neighborhood, the police turned to the Planning Department for a more comprehensive solution.

In addition to considering issues of code, zoning, enforcement, and safety, the Planning Department thought of the problem in cultural terms, presenting me with the following issues: What kind of neighborhood installation would not only solve the problem of food supply but also that of transience, in the sense that it would "enhance community attachment and stability" in the absence of home ownership? How could the planning of this facility involve residents and thus benefit from a "bottom-up" participation—or at least benefit from ethnographic information about the needs, habits, and desires of residents? Should the Department "try to encourage a Latino cultural pattern of business to take hold in a new home"—that is, food shopping as a public urban event in an open-air market—"or try to Americanize food shopping by encouraging the development of a suburban-type [i.e. private and interior] supermarket?" Thus, in Crown Heights, the experience of various kinds of residential illegalities—themselves a consequence of recent changes in the global economy—has mobilized not so much residents, as in São Paulo, but city government to seek greater civic participation, democratic practice, and redistribution of resources for the marginalized.

In framing their initiative in these ways, the city's policymakers show the influence of a particular rights-discourse of the recent global wave of democracy, namely, that of cultural rights and their politics of difference. Among several planners I interviewed, this influence is conscious and deliberate though not theorized as such. Whereas in São Paulo (and Brazil generally) an interest in social rights characterizes the impact of democracy, in Oceanside (and in the United States generally) it is cultural rights. Even though the United States is an established democracy, it is not a static one. It too has experienced a significant debate about citizenship and rights that derives directly from democracy's recent global expansions and realignments. In the United States, this debate is known mainly by the terms multiculturalism, cultural rights, and the politics of difference. Whether or not they use these terms or are conscious of this debate, the policymakers of Oceanside demonstrate that they are influenced by it and engaged in the rethinking of citizenship it entails.

The question of cultural rights involves recent developments in what I discuss elsewhere as the moral dimension of citizenship (see Holston, forthcoming).

This dimension concerns the meaning of citizenship and focuses on the concept of equality. Classically, the moral sense of citizenship opposes the inequalities of legalized status hierarchies—traditionally based on differences of race, property, gender, age, religion, ancestry, culture, and so forth—with the universal equality of citizens. That is, the concept of modern citizenship entails an equalization of rights regardless of other differences. It demands that all citizens have the same rights on the basis of the uniform and identical status of citizen rather than special rights on the basis of personal differences. However, in the last few decades, the notion of equality has increasingly come to mean, as well, that each person equally is distinctive and unique. This sense of individual worth resonates deeply in American culture. Yet, it also contradicts American notions of uniform treatment: Especially with regard to global human rights, the recent debates about democracy base the idea of distinctive individual worth on the absolute right of people to a measure of well-being necessary to cultivate their distinction, rather than on their market value to do so. This other sense of equality demands a differentiation of rights, not an equalization, based on the sustenance of distinctive differences, such as those of culture, language, and gender. It demands, in other words, a difference-specific rather than difference-neutral or difference-blind citizenship. In the United States, this disjunction in the meaning of citizenship between equalization and differentiation of rights has been debated under the banner of the politics of difference. The debate asks whether difference-specific rights may constitute a more just basis for the participation of some people in the polity, especially for those who have been traditionally excluded on the basis of identity differences that remain important to them, such as ethnicity.

The city officials of Oceanside are applying a version of this sort of consideration of difference to the Latino residents of Crown Heights. They are willing to commit city resources to the propositions that these residents ought to have a different urban space (an open-air market) from other (Anglo) residents, a different zoning (mixed residential and commercial), a government subvention that protects their special benefits from market forces, and treatment different from that given to others engaged in illegal activity. Policymakers justify this politics of difference by arguing that the Latino residents have a "right" to sustain their Latin culture, that Oceanside benefits from a diversity of cultures, and that by supporting this right to cultural difference planners hope not only "to improve neighborhood conditions" but also "to foster [the residents'] own self-help initiatives" (i.e. encourage their civic participation), as a memorandum on the issue put it. The planners cannot be considering that this "right" to sustain cultural difference is, in this case, a right of national or state citizenship as the residents of Crown Heights are mostly noncitizens. Rather, they must base their consideration of right either on the idea of global human rights or on the idea of urban citizenship—or on both. I am not suggesting that, at this point, city officials articulate the issues using either platform exactly as I have expressed them. But I am proposing that these ideas are present in their deliberations and ground their attempts to formulate new policies to address the unevenness of dem-

ocracy in their city and include the formally excluded. Ironically, they direct these attempts at noncitizens rather or more than at the poor American citizens in Oceanside who are also marginalized from local democratic participation but not formally excluded.

In sum, recent changes in the global economy have generated heterogeneous urban spaces such as Oceanside with significant polyglot, marginalized, and noncitizen populations. In the case I have examined, the experience of residential illegality motivates city government to address the dilemmas of democratic exclusion with innovative policies. These policies are grounded in notions of cultural rights and a politics of difference. In this process, residential illegality is like a chemical catalyst that starts a reaction but is not changed by the consequences: Illegality precipitates processes in realigning democratic participation that do not necessarily resolve the underlying conditions of illegal residence. Nevertheless, when city governments respond to illegal residence, their policies may generate new legal regimes and what I have called an urban citizenship. As in the case of São Paulo, the latter is a de facto system comprised of new rights and identities. It has no formal standing in the regime of national membership. It does not convert immigrant noncitizens into American citizens, members of a nation and at least one of its states. Rather, given the current definitions of American membership, urban citizenship for the residents of Crown Heights is substantive only. That substance comprises difference-specific considerations—some conceived as cultural rights—and processes of participation concerning the very heterogeneity and material conditions of urban experience. For the city's excluded, that substance constitutes a change of fortune indeed and amounts to a new agenda of urban democracy.

Oceanside is emblematic of many city-regions, especially in established democracies, that are extensively divided by the cultural and social heterogeneity of national citizen and noncitizen. It is emblematic of the dilemma of undemocratic rule that results. The emergence of urban citizenship as a policy initiative presents the possibility of engaging these problems in a significant way because it converts resident nonnationals into urban citizens who exercise a substantive democratic membership in the city. Urban citizenship of the Oceanside type is not, as that in São Paulo, an insurgence against the state. To the contrary, it is much more government-initiated and directed, as policymakers apply new concepts of rights and citizenship. Moreover, it does not reformulate national citizenship the way São Paulo's does because its urban citizens remain nonnationals. It may, however, realign national citizenship in other ways by driving wedges between a national space and its urban centers. The new urban citizenship of Crown Heights may very well sustain a multicultural society and economy at odds with mainstream visions of American identity. Thus, the new urban citizens of Crown Heights are probably not commensurable, in the sense I discussed earlier of national identity, with many American citizens who live in much less heterogeneous places. Cities have often maintained a different relationship than their hinterlands to national processes of integration and to global processes of change. Moreover, this relationship often differs from the policies that their

nation-states endorse. Yet, the localization of global forces of capital, labor, and democracy in city-regions may generate an urban citizenship at fundamental odds with principles of national membership. In the United States, Britain, and France, such antagonisms are already evident. They have prompted national governments to curtail the economic and social resources they provide to local government and thus to leave cities more on their own to manage the ensuing problems.

At this point, it is difficult to see how such deeper divergences between nations and cities will develop. But it is possible to observe that in many city-regions, as in both São Paulo and Oceanside, the urban experience of the poor, the excluded, and the illegal may become, through its engagement with global democracy, the basis of a new kind of urban citizenship. In this process, both urban residents and their city governments confront the dilemma of undemocratic rule with new agendas for a more civic and social democracy.

NOTES

1. International watchdog organizations use standard criteria of electoral procedure and political freedom to arrive at the number of electoral democracies in the world. As I have written elsewhere (see Holston and Caldeira 1998), I am strongly critical of the electoral approach in evaluating democracy. I use its data to grasp both the importance of elections and their limitations in the evaluation. In this essay, I use the research that Freedom House has compiled since 1972 in annual world surveys of political rights and civil liberties. Thus, in my analysis, the attribution "democracy" is not a matter of a country's self-nomination. For example, although the governments of the Democratic Republic of Congo and Egypt declare themselves democratic, international organizations disagree and do not count them among the world's 118 electoral democracies. With regard to the number of waves of democratization since the late eighteenth century, Samuel Huntington (1991) argues for three waves (and, thus far, two reversals) while Philippe Schmitter (1993) proposes four. At this point, the phrase, "the third wave," has caught on. Of the seventy-four third-wave democracies, eight had been formally democratic in 1972, became authoritarian, and then re-democratized by 1996 for a net gain of sixty-six electoral democracies over the twenty-four year period.
2. In the literature and legislation on citizenship, social rights refer to socioeconomic minimums that guarantee a basic standard of living. In comparison with most Europeans, for example, it is clear that Americans of all social classes have few of these rights to a minimum standard of living that do not depend on the market value of individual claimants. Some conceptions of citizenship, however, include the principle of a minimum standard that depends not on market worth but rather on the absolute right of citizens to a measure of dignity. Such social rights usually refer to conditions of health, education, housing, and work.
3. Defined by law and periodically readjusted, one minimum salary is the amount supposedly necessary to cover basic staples for a household.
4. Caldeira (2000: chapter 6) has devised a useful way to indicate the extent of illegal residence in São Paulo.

5. Although not a measure of the number of lots seized, the number of people living in squatter settlements (*favelas*) gives a rough idea of their extent. In 1980, 4.4 percent of São Paulo's population lived in favelas and in 1993, 19.1 percent.
6. In 1979, Caldeira (1984: 70) found that among those purchasing lots in a neighborhood of São Miguel Paulista, 57 percent had completed payments based on contracts initiated on average ten years earlier, but only 16 percent declared that they had definitive title. Researching the same neighborhood several years later, I discovered that even such declarations cannot be accepted at face value because residents often refuse to admit that their property, purchased with such sacrifice, might not be secure. If pressed, they show documents that the seller provides, some of which may indeed be legitimate but of little use for registration. If they do not have the registered title, which most do not, nothing is proved.
7. For example, by 1991, 74 percent of the poorest periphery had sanitation services, up from 19 percent ten years earlier.
8. Manuel Castells (1983) was one of the first to demonstrate, in his book *The City and the Grassroots*, both the importance of social movements of protest in the development of cities and the significance of urban issues in the formation of social movements. Although he continued to call them "marginals" and "lumpenproletariat," he challenged the traditional Marxist dismissal of the nonindustrial urban poor by showing that these people could mobilize collective movements that transform the material and social conditions of the city.
9. One of the most significant sources of this process is popular participation in urban reform and municipal administration. Growing out of the National Movement of Struggle for Urban Reform founded in 1986 to influence the federal Constitutional Assembly, this participation has rallied around rights to the city and around the concept of urban self-management (*auto-gestão*). In many major cities, including São Paulo, Rio de Janeiro, and Recife, the movement for urban reform succeeded in building these rights into innovative municipal codes, charters, and master plans. See Silva (1990) for a discussion of some of these innovations. Even where these plans have not passed city council, as in São Paulo, they have nevertheless animated local administrations in unprecedented ways. Perhaps the most well known is the city-wide popular participation in making the annual budget of Porto Alegre (see Abers 1998 and Ottman 1995).
10. It is important to note that resident nonnationals in the United States have not always been politically disenfranchised. According to legal scholar Jamin Raskin (1993), aliens voted in local, state, and even national elections in twenty-two states and federal territories before World War I. They also held local public offices, such as coroner and alderman. Raskin writes that "from the moment the Declaration of Independence was signed (including by several aliens), alien enfranchisement seemed to many states, such as Vermont and Virginia, the logical thing to do. In a regime built on federalism, state citizenship was deemed central and nation-state citizenship peripheral. The key suffrage qualifications in the states centered on property ownership, race and gender, not national citizenship" (1993: 451). Moreover, the Supreme Court has repeatedly indicated that alien suffrage is constitutional and therefore up to localities to institute. Nevertheless, antiimmigrant forces have campaigned against it from the early decades of the twentieth century—perhaps, as Raskin suggests, because U.S. immigration became significantly less Northern European. By the mid-1920s, these forces had succeeded in eliminating alien suffrage from the American political landscape.

11. The City Council of Oceanside is elected through citywide elections. Thus, council members do not represent specific neighborhoods or areas of the city.

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