State Immigration Policy and Direct Democracy Mechanisms:Political Opportunity Structures and Political Actors

In the face of federal inaction on immigration reform, state governments have started addressing immigration. States are creating legislation in policy areas like law enforcement, health care policy, and driver licenses. State driver licenses are particularly interesting because licenses are also de facto federal identification. State actors that work to provide driver licenses for those who cannot prove legal presence must balance federal regulations, protections for undocumented immigrants, and the actions of pro-immigrant and anti-immigration groups. This paper uses cross-case and in-case comparisons of Oregon and California's attempts to pass driver licenses for those who cannot prove legal presence in the United States. I investigate how structural political opportunities and state actors influence the passage or failure of state immigration legislation. I find that the contraction or expansion of political opportunity structures at the state level, as well as the agency of state actors, can determine the passage or failure of state driver licenses for undocumented immigrants.

Andrea Silva is an assistant professor of political science at the University of North Texas (UNT) and an affiliated faculty member with UNT's Latino/Mexican American Studies Department. Her research interests include US immigration politics and federalism, Latino/Latina politics, representation, and racial and ethnic politics in the US. She holds a doctoral degree in political science from the University of California, Riverside.