

Chapter 1 : Article III - The United States Constitution

Citizens. Those who, under the Constitution and laws of the United States, or of a particular community or of a foreign country, owe allegiance and are entitled to the enjoyment of all Civil Rights that Accrue to those who qualify for that status.

Are you either a sovereign state citizen or a slave 14th amendment U. Have you read the court cases that the state citizenship proponents rely on to find out if their quotes from court cases are correct? The answer to all of the above is a solid NO! A short essay by Peymon M. Many of us are fed up with the oppressive taxation and control that we are suffering at the hands of government at all levels. Back in , I was persuaded to believe that I had unknowingly allowed myself to become a U. Not knowing how to look up a court case in the law library, I never read the full court cases, which I previously quoted from the law digest books. Eventually, when I learned how to find a court case in the law library, and upon the insistence of some good friends, I pulled out and read the full text of each court case from which I was quoting. I did not like what I read. I was wrong about this whole thing. But hey, better to stand corrected than to keep my head in the sand. Do yourself a favor and read the full court cases, which I quote. Make sure for yourself that your position is the correct one. Where did citizenship come from? In the beginning, people were created free, independent, and sovereign and no one could force them to do anything unless they were overpowered. This is exactly what happened. Evil people formed gangs that attacked, raped, robbed, and murdered other free, independent, and sovereign men, women and children, one by one. The fundamental purpose of any gang, tribe, jural society, or state is to protect the life, liberty, and property of its individual members. Members of these groups are also called citizens. The Massachusetts Bill of Rights is explicit regarding how this takes place: The borders of this area are the borders of the state. To assure the continued existence of this collective entity, which is needed to protect each of its individual members, each member in addition to his or her rights had privileges; immunities and duties such as jury duty, service in the militiaâ€¦ This way the shared contribution of everyone assured the future protection of all members and their posterity children. By now, you realize that in the political sense, the terms gang, tribe, jural society and state are synonymous. I know this might sound distasteful for some people to accept that their state is just a collection or group of people albeit a good one with good purposes in mind , but I never promised you that reality is always sweet; did your parents? How about citizenship in America? In , after the American people kicked the sovereign King of England out of the colonies by the use of force, the American people once again became sovereigns. Under the Articles of Confederation, these states joined in a voluntary association for their mutual benefit much like how most not all countries of the world are members of a confederacy called the United Nations. The confederate government the United States supposedly had limited powers over its member nations much like the way the U. Read New York v. Again, read New York v. Furthermore, the states would no longer be under the power of the U. They would just be prohibited from exercising those functions powers now delegated to the U. The laws of Congress will be binding on individuals. As we have seen, the Court has consistently respected this choice. This was a proposal which the anti-federalists like Patrick Henry strongly opposed and argued as an opening window to a new central government which will eventually come to oppress the people much like the King of England How right they were is too obvious now. Nevertheless, the anti-federalists lost the argument and the people of the several states allegedly approved the Constitution of the United States of America, which created a new U. In New York v. United States, on page the court states: Oregon, 7 Wall at 76 This is to say that, if a bunch of street gangs, like the Crips and the Bloods famous L. By becoming a member citizen of the Super Gang the U. In Dred Scott v. Ed , the U. Board of Registrars of Jefferson County, 48 So. But if you read the actual court case, you will get a very different picture. The court actually said: Once class of citizenship may exist in a person without the other, as in the case of a resident of the District of Columbia; but both classes usually exist in the same person. The federal government by this amendment the 14th amendment has undertaken to say who hall be citizen of both of the states and United States. The alleged 14th Amendment to the U. Constitution changed some things. For example, it allowed the former black and oriental slaves who were supposedly freed

by the alleged 13th amendment to become U. It also brought state legislation under the scrutiny of the U. Remember, by ratification of the U. Constitution, each citizen of the state was also made a citizen of the United States. The state citizenship theory claims many other things such as: A state citizen is individually sovereign. A state citizen is not subject to state and federal legislation. Income taxation is primarily based on your status as a 14th Amendment U. To clearly and unequivocally disprove the above I will mostly refer to the very court cases that they refer to and preth Amendment court cases and dictionaries. Constitution in Article 2, Section 1, Paragraph 5 states: I was originally convinced that state citizens are sovereign when I read this quotation from a law digest: I was so excited to get confirmation that I am truly free and independent as a sovereign. I went about teaching this to many others, until I learned how to look up a court case in the law library and dug up this hard-to-find case of Lansing v. Smith, of which no one I knew had seen a copy. The Supreme Court of New York in did say the above, but what it said immediately after gave it a totally different meaning. Further down the same page the court continues: They are not the private inalienable rights of each individual. In the Hylton v. United States, 3 U. Back in , the U. The White House was not even built yet. Obviously, citizenship was not an issue here. Yes, you may; but remember, they claim that they are the only lawful authority around. If they did not let the South secede separate from the American Union back in , what makes you think they will let you and your friends secede now? So, what can I do now to live free? There is a lot that you can do to regain your freedoms. The primary purpose of government is still to protect your life, liberty, and property.

Chapter 2 : Certificates of Non Citizen Nationality

Citizenship in a democracy grants its citizens rights to participate in the affairs of the state. Right to vote in elections is an inseparable and important right of citizens in democracies. Every citizen, however, cannot participate to the same extent in all affairs of the State.

As the title of the certificate indicates, only a person who is a non-citizen U. As defined by the INA, all U. Section INA confers U. No other statutes define any other territories or any of the states as outlying possessions. See requirements of Section As the Department has received few requests, there is no justification for the creation of a non-citizen national certificate. Designing a separate document that includes anti-fraud mechanisms was seen as an inefficient expenditure of resources. Therefore, the Department determined that those who would be eligible to apply for such a certificate may instead apply for a United States passport that would delineate and certify their status as a national but not a citizen of the United States. When applying, applicants must execute a Form DS and show documentary proof of their non-citizen national status as well as their identity. Upon - 1 proof to the satisfaction of the Secretary of State that the applicant is a national, but not a citizen, of the United States; and, 2 in the case of a non-citizen national born outside of the United States or its outlying possessions, taking and subscribing, before an immigration officer within the United States or its outlying possessions, to the oath of allegiance required of an applicant for naturalization. Section a 21 of the Immigration and Nationality Act: Section a 29 of the Immigration and Nationality Act: Section a 36 of the Immigration and Nationality Act: Section of the Immigration and Nationality Act: Unless otherwise provided in section of this title, the following shall be nationals, but not citizens of the United States at birth: The proviso of section g shall apply to the national parent under this paragraph in the same manner as it applies to the citizen parent under that section. Section of Public Law 94 - Links to external websites are provided as a convenience and should not be construed as an endorsement by the U. Department of State of the views or products contained therein. If you wish to remain on travel. You are about to visit:

Chapter 3 : U.S. Citizenship Laws and Policy

Citizenship of the United States is a status that entails specific rights, duties and benefits. Citizenship is understood as a "right to have rights" since it.

Constitution is devoted to the federal judicial branch. Congress did so right away by creating 13 district courts and a smaller number of circuit courts in the First Judiciary Act of 1789. Congress has increased the number of lower courts many times since. For example, in 1801, Congress had created lines for about 16 federal judges; by 1802, that number was up to 135. Thus, the individuals who become judges gain their office by virtue of the decisions of elected officials. But, once the judges are appointed, the Constitution insulates their independence. Do note what Article III does not provide: More than 10,000 federal courthouses now dot the landscape. In 1948, Congress chartered an Administrative Office of the United States that provides infrastructure support and, in 1967, the Federal Judicial Center, dedicated to research and education. Thus, without constitutional guarantees of budget and with the potentially malleable constitutional text, Congress has more often been a supporter of the federal courts than an antagonist. Turn then to some language that has occasioned debate. Does it authorize Congress to eliminate the possibility of appellate review in the Supreme Court for entire categories of cases—such as about school busing? And what authority might Congress have to craft analogous limitations on the jurisdiction of federal trial courts? One account thinks of Article III as guaranteeing federal judicial authority, while another interpretation understands Article III to permit a great deal of congressional control over jurisdiction. In addition, Article III also protects jury decision-making by requiring a jury trial in federal criminal prosecutions, with the trial to take place in the state where the crimes were committed. Yet case law and interpretation read Article III as protecting values of openness and judicial independence. Within the structure marked out by Article III, large swaths of extensive congressional regulation of federal court jurisdiction have existed without great controversy since the enactment of the Judiciary Act of 1789. Take diversity jurisdiction, which the Constitution provides without mentioning anything about how much is at stake. In fact, most of the law of federal court jurisdiction is statutory rather than constitutional in nature, and to determine the boundaries of federal court jurisdiction, one should begin by looking at statutes enacted by Congress. A second is what kinds of cases fall within the descriptions. The fourth is whether, once the federal courts have jurisdiction, that authority also provides them with the power to decide the underlying obligations of the parties. The fifth question focuses on remedies: Answers—whether right or wrong—are often blurry and shift over time. But does that mean that if an ambassador seeks to divorce a spouse, a federal court has jurisdiction? The Supreme Court has said not, and thus reads the language as not mandating that such cases can come only into a federal court. But what waterways count? And if a boat is docked and treated like a house, do the federal courts have jurisdiction? Recent decisions have not been unanimous on these very issues. But if a lawsuit is brought against an employee of the Postal Service, is the United States a party? Likewise, while the Constitution specifies that the federal judicial power extends to controversies between two states, a body of decisions debate the question of when a state is a party, and whether, for example, a regional body co-run by a few states can have access to federal courts by virtue of this provision. In *Chisholm v. Georgia*, the Supreme Court held that a state could be sued in a federal court the Supreme Court, in that case without its consent. But in 1795, the Eleventh Amendment was ratified, and its odd phrasing has produced yet more law debating federal court jurisdiction. *Tompkins*, that federal judges must generally apply state law instead. In sum, Article III has been enormously generative.

Chapter 4 : Citizenship and State - WikiEducator

A citizen of any one of the States of the Union, is held to be, and called a citizen of the United States, although technically and abstractly there is no such thing.

Rescission by Oregon did not occur until later. These rescissions caused significant controversy. However, ratification by other states continued during the course of the debate: Seward certified that if withdrawals of ratification by New Jersey and Ohio were ineffective, then the amendment had become part of the Constitution on July 9, 1850, with ratification by South Carolina. The inclusion of Alabama and Georgia has called that conclusion into question. While there have been Supreme Court cases dealing with ratification issues, this particular question has never been adjudicated. The Fourteenth Amendment was subsequently ratified: Citizenship and civil rights The two pages of the Fourteenth Amendment in the National Archives Background Section 1 of the amendment formally defines United States citizenship and also protects various civil rights from being abridged or denied by any state or state actor. Abridgment or denial of those civil rights by private persons is not addressed by this amendment; the Supreme Court held in the Civil Rights Cases [30] that the amendment was limited to "state action" and, therefore, did not authorize the Congress to outlaw racial discrimination by private individuals or organizations though Congress can sometimes reach such discrimination via other parts of the Constitution. Supreme Court Justice Joseph P. Bradley commented in the Civil Rights Cases that "individual invasion of individual rights is not the subject-matter of the [Fourteenth] Amendment. It has a deeper and broader scope. It nullifies and makes void all state legislation, and state action of every kind, which impairs the privileges and immunities of citizens of the United States, or which injures them in life, liberty or property without due process of law, or which denies to any of them the equal protection of the laws. Senator from Michigan Jacob M. There are varying interpretations of the original intent of Congress and of the ratifying states, based on statements made during the congressional debate over the amendment, as well as the customs and understandings prevalent at that time. Many things claimed as uniquely Americanâ€”a devotion to individual freedom, for example, or social opportunityâ€”exist in other countries. But birthright citizenship does make the United States along with Canada unique in the developed world. Howard of Michiganâ€”the author of the Citizenship Clause [46] â€”described the clause as having the same content, despite different wording, as the earlier Civil Rights Act of 1856, namely, that it excludes Native Americans who maintain their tribal ties and "persons born in the United States who are foreigners, aliens, who belong to the families of ambassadors or foreign ministers. LaFantasie of Western Kentucky University , "A good number of his fellow senators supported his view of the citizenship clause. The Supreme Court held that Native Americans who voluntarily quit their tribes did not automatically gain national citizenship. Wong Kim Ark Subsequent decisions have applied the principle to the children of foreign nationals of non-Chinese descent. Fraud in the naturalization process. Technically, this is not a loss of citizenship but rather a voiding of the purported naturalization and a declaration that the immigrant never was a citizen of the United States. The State department views such affiliations as sufficient evidence that an applicant must have lied or concealed evidence in the naturalization process. This may be accomplished either through renunciation procedures specially established by the State Department or through other actions that demonstrate desire to give up national citizenship. However, the Supreme Court repudiated this concept in *Afroyim v. Rusk* , [69] as well as *Vance v. Terrazas* , [70] holding that the Citizenship Clause of the Fourteenth Amendment barred the Congress from revoking citizenship. However, Congress can revoke citizenship that it had previously granted to a person not born in the United States. Privileges or Immunities Clause The Privileges or Immunities Clause, which protects the privileges and immunities of national citizenship from interference by the states, was patterned after the Privileges and Immunities Clause of Article IV, [72] which protects the privileges and immunities of state citizenship from interference by other states. *Roe* , [77] the Court ruled that a component of the " right to travel " is protected by the Privileges or Immunities Clause: Despite fundamentally differing views concerning the coverage of the Privileges or Immunities Clause of the Fourteenth Amendment, most notably expressed in the majority and dissenting opinions in the *Slaughter-House Cases* , it has always been

common ground that this Clause protects the third component of the right to travel. Writing for the majority in the Slaughter-House Cases, Justice Miller explained that one of the privileges conferred by this Clause "is that a citizen of the United States can, of his own volition, become a citizen of any State of the Union by a bona fide residence therein, with the same rights as other citizens of that State. Chicago , Justice Clarence Thomas , while concurring with the majority in incorporating the Second Amendment against the states, declared that he reached this conclusion through the Privileges or Immunities Clause instead of the Due Process Clause. Due Process Clause In the case of *Hurtado v. California* , the U. The Due Process Clause of the Fourteenth Amendment applies only against the states, but it is otherwise textually identical to the Due Process Clause of the Fifth Amendment , which applies against the federal government; both clauses have been interpreted to encompass identical doctrines of procedural due process and substantive due process. Substantive due process Beginning with *Allgeyer v. Louisiana* , [84] the Court interpreted the Due Process Clause as providing substantive protection to private contracts, thus prohibiting a variety of social and economic regulation; this principle was referred to as " freedom of contract. New York [86] and struck down a minimum wage law in *Adkins v. Nebraska* , [88] the Court stated that the "liberty" protected by the Due Process Clause [w]ithout doubt *Kansas* , , [90] laws declaring maximum hours for mine workers *Holden v. Hardy* , , [91] laws declaring maximum hours for female workers *Muller v. New* , , [93] as well as federal laws regulating narcotics *United States v. It is a rational continuum which, broadly speaking, includes a freedom from all substantial arbitrary impositions and purposeless restraints., Connecticut [97] for further information see below. Although the "freedom of contract" described above has fallen into disfavor, by the s, the Court had extended its interpretation of substantive due process to include other rights and freedoms that are not enumerated in the Constitution but that, according to the Court, extend or derive from existing rights. The Court first ruled that privacy was protected by the Constitution in *Griswold v. Connecticut* , which overturned a Connecticut law criminalizing birth control. Douglas wrote for the majority that the right to privacy was found in the "penumbras" of various provisions in the Bill of Rights, Justices Arthur Goldberg and John Marshall Harlan II wrote in concurring opinions that the "liberty" protected by the Due Process Clause included individual privacy. *Casey* , [] the Court decided that "the essential holding of *Roe v. Wade* should be retained and once again reaffirmed. *Texas* , [] the Court found that a Texas law against same-sex sexual intercourse violated the right to privacy. *Hodges* , the Court ruled that the fundamental right to marriage included same-sex couples being able to marry. For example, in *Caperton v. Incorporation of the Bill of Rights* While many state constitutions are modeled after the United States Constitution and federal laws, those state constitutions did not necessarily include provisions comparable to the Bill of Rights. *Baltimore* , [] the Supreme Court unanimously ruled that the Bill of Rights restrained only the federal government, not the states. *Timbs* will decide whether the Excessive Fines Clause of the Eighth Amendment should be applied to the states. Under Black Codes, blacks could not sue, give evidence, or be witnesses. They also were punished more harshly than whites. West Virginia that the Equal Protection Clause was designed to assure to the colored race the enjoyment of all the civil rights that under the law are enjoyed by white persons, and to give to that race the protection of the general government, in that enjoyment, whenever it should be denied by the States. The Clause mandates that individuals in similar situations be treated equally by the law. *Sharpe* , has applied the Clause against the federal government through the Due Process Clause of the Fifth Amendment under a doctrine called " reverse incorporation. *Hopkins* , the Supreme Court has clarified that the meaning of "person" and "within its jurisdiction" in the Equal Protection Clause would not be limited to discrimination against African Americans, but would extend to other races, colors, and nationalities such as in this case legal aliens in the United States who are Chinese citizens: Persons "within its jurisdiction" are entitled to equal protection from a state. Largely because the Privileges and Immunities Clause of Article IV has from the beginning guaranteed the privileges and immunities of citizens in the several states, the Supreme Court has rarely construed the phrase "within its jurisdiction" in relation to natural persons. *Doe* , where the Court held that aliens illegally present in a state are within its jurisdiction and may thus raise equal protection claims [] [] the Court explicated the meaning of the phrase "within its jurisdiction" as follows: Senator Howard was explicit about the broad objectives of the Fourteenth Amendment and the intention to make its provisions*

applicable to all who "may happen to be" within the jurisdiction of a state:

Chapter 5 : Is Dual Citizenship Allowed in the United States? - Legal Language Services

Respect States' and Citizens' Rights Act of This bill amends the Controlled Substances Act (CSA) to declare that no provision of the CSA, including criminal penalties, is intended to supersede or preempt a state law that pertains to marijuana.

What is the difference between State and Citizen? A study of exact relationship between state and citizen is the fundamental concern of political science. For state wants maximum authority and citizen wants maximum liberty. However, it is impossible. Some sort of compromise has to be made between the two. Reasonable power and authority should be made available to the state for its smooth functioning. Reasonable liberty should be available to the citizen for the best development of his personality. In this sense, both state and citizen are not opposed to each other. On the other hand, they are made for each other. The aim of the state is to provide good environment to the citizen for the development of his personality. The aim of the citizen is to enjoy reasonable liberty within the state. Hence, the state is the larger copy of the citizens and the interest of citizens is not in conflict with the state. The citizen depends on the state not only for safety, law and order alone but also for facilities like the post and telegraph, communication, railway, education, etc. The citizen enjoys a special position in the state. Every one living within the territory of a state is not its citizen. A citizen is one who enjoys both civil and political rights which are guaranteed and recognized by the state. He can go to a court of law if some of these rights Fundamental Rights are denied to him. He is loyal to the state. He is inspired by certain duties towards the state. In a word, rights and duties define the relationship between the state and the citizen. Moreover, he regards state as his "mother land". In addition, he is ever prepared to sacrifice his life for the sake of his motherland. The role of natural as well as naturalized citizen towards the state has become a hot issue today. But in India, there is no such distinction between the natural and naturalized citizens. However, some Indians advocate for depriving the naturalized citizens of their right to hold the highest office of the state. Another aspect of citizenship is that citizens are expected to participate in the affairs of the State. In non-democratic states like the absolute monarchy, the people who were within the preview of the laws of states were known as subjects. They were bound to obey the decisions of the state, but they had little say in the making of such decisions. Citizenship in a democracy grants its citizens rights to participate in the affairs of the state. Right to vote in elections is an inseparable and important right of citizens in democracies. Every citizen, however, cannot participate to the same extent in all affairs of the State. The extent of participation is often regarded as an important feature of a democracy. Good citizens obey the laws of the state and punitive actions are taken against those who do not obey laws of the state.

Chapter 6 : State Citizenship vs Federal Citizenship | Understand Contract Law and You Win!

Amendment XIV Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.

This principle of equal citizenship was at the core of the Republican vision for post-Civil War America. In , the Supreme Court set out its own racialist vision of American identity in the infamous *Dred Scott v. Candidate Abraham Lincoln* campaigned against the decision in and Two months later, Congress included birthright citizenship in its proposed Fourteenth Amendment. The only relevant exception today given that Native Americans no longer live in the same kind of tribal regime that existed in the s is for those who owe their allegiance to another sovereign, such as the children of foreign diplomats. The Citizenship Clause also marked an important shift in American identity. The Citizenship Clause flipped this troubling script. Rather than deferring to the racist citizenship determinations of individual states, the Fourteenth Amendment made Americans citizens of the nation, first and foremost, and established a simple national rule for citizenship: By its own terms, the Citizenship Clause is not expressly limited to the relationship between citizens and governments; it can also be understood as having implications for the relationship between citizens themselves in certain situationsâ€”for example, in certain prominent public spaces, even if these public spaces are not, strictly speaking, owned by the government. Under this equal-birth principle, the government may regulate its citizens in numerous ways using all sorts of legal distinctionsâ€”for example, between wage earners and dividend earners in the tax code, or between opticians and ophthalmologists in medical regulations. But government may not penalize or degrade anyone born on American soil simply because he or she was born the wrong wayâ€”because, say, he was born black or she was born female, or he was born out of wedlock, or she was born gay. This birth-equality principle stood in sharp contrast with the infamous Black Codes that many ex-Confederate states had enacted after the Civil War. These lawsâ€”the paradigm evils that the Fourteenth Amendment was designed to eradicateâ€”degraded African Americans simply because they were born with dark skin, reducing them to the status of second-class citizens. Furthermore, *Dred Scott* itself situated citizenship in a broader contextâ€”defined not just by official state action, but also social meaning and practice. The Reconstruction Congress passed several laws along these lines; however, the Supreme Court struck down some of them, reading the Fourteenth Amendment as only reaching actions by state governments. Read the full discussion here. In the end, the Citizenship Clause is one of the richest single sentences in the entire Constitution, rivalling the Preamble in both theoretical depth and breadth. Here are just some of the many extraordinary things done by this extraordinary sentence: Second, the sentence establishes the priority of national citizenship; no matter what a state might say, anyone born in America under the American flag is an American. Third, the sentence requires a state to treat any American who chooses to reside in that state as a full and equal state citizen. The sentence thus makes emphatically clear that there is a right of any American to move to and remain in any state, no matter what a state might prefer. Fourth, the sentence in tandem with the sentence that follows affirms that an American citizen is entitled to all the basic civil rightsâ€”the privileges and immunitiesâ€”of citizenship against both state and federal governments. Seventh, and related, this birth equality idea clearly condemns a racial caste system in which light-skinned children are born lords and dark-skinned children are born serfs. Eighth, the sentence goes far beyond race by condemning all sorts of other birth-based caste-like systems improperly exalting some and improperly degrading others because of birth status. The sentence thus explains why certain types of birth-based governmental discrimination are suspect laws based on race or sex or sexual orientation or illegitimacy whereas most other kinds of governmental line-drawing say, between opticians and ophthalmologists should not be viewed with comparable skepticism. Ninth, the sentence focuses our attention on place, not parentage. Unlike the law of many European countries, in America the key issue of constitutional citizenship is based on the law of the soil, not the law of blood. The issue is where one was born, not to whom. Anyone born in America under the American flag is a citizen, even if his parents are not citizens and indeed even if his parents are not here legally. Yet Reconstruction Republicans in Congress doubtless were aware that some antebellum slaves had

been smuggled into America illegally, in violation of various nineteenth congressional laws prohibiting transatlantic slave importation. In multiple cases decided in the late nineteenth and the late twentieth century, the Supreme Court has recognized only three narrow exceptions to birthright citizenship: Anyone born on American soil under the American flag is an American.

Chapter 7 : Fourteenth Amendment to the United States Constitution - Wikipedia

For information on dual citizenship, visit the U.S. Department of State Services Dual Nationality website. The Value of Citizenship The United States has a long history of welcoming immigrants from all parts of the world.

Rights[edit] The U. Freedom to reside and work. United States citizens have the inalienable right to reside and work in the United States. Certain non-citizens, such as permanent residents, have similar rights; however, non-citizens, unlike citizens, may have the right taken away. For example, they may be deported if convicted of a serious crime. United States citizens have the right to enter and leave the United States freely. Certain non-citizens, such as permanent residents, have similar rights. Unlike permanent residents, U. States are not required to extend the franchise to all citizens: The United States Constitution bars states from restricting citizens from voting on grounds of race, color, previous condition of servitude, sex, failure to pay any tax, or age for citizens who are at least eighteen years old. Historically, many states and local jurisdictions have allowed non-citizens to vote ; however, today this is limited to local elections in very few places. Citizens are not compelled to vote. Freedom to stand for public office. The United States Constitution requires that all members of the United States House of Representatives have been citizens for seven years, and that all senators have been citizens for nine years, before taking office. Most states have similar requirements: Constitution requires that one be " a natural born Citizen " and a U. The Constitution also stipulates that otherwise eligible citizens must meet certain age requirements for these offices. Right to apply for federal employment. Many federal government jobs require applicants to have U. Citizens are required to file U. Jury duty is only imposed upon citizens. Jury duty may be considered the "sole differential obligation" between non-citizens and citizens; the federal and state courts "uniformly exclude non-citizens from jury pools today, and with the exception of a few states in the past, this has always been the case". Currently, the United States Armed Forces are a professional all-volunteer force, although both male U. Johns Hopkins University political scientist Benjamin Ginsberg writes, "The professional military has limited the need for citizen soldiers. In the United States today, everyone except those whose income is derived from tax-exempt revenue Subchapter N, Section of the U. Tax Code is required to file a federal income tax return. American citizens are subject to federal income tax on worldwide income regardless of their country of residence. While traveling abroad, if a person is arrested or detained by foreign authorities, the person can request to speak to somebody from the U. Consular officials can provide resources for Americans incarcerated abroad, such as a list of local attorneys who speak English. Increased ability to sponsor relatives living abroad. Ability to invest in U. Perhaps the only quantifiable economic benefit of U. Generally, children born to two U. When the parents are one U. There is no requirement to attend town meetings, belong to a political party, or vote in elections. However, a benefit of naturalization is the ability to "participate fully in the civic life of the country". Vanderbilt professor Dana D. Nelson suggests that most Americans merely vote for president every four years, and sees this pattern as undemocratic. In her book *Bad for Democracy* , Nelson argues that declining citizen participation in politics is unhealthy for long term prospects for democracy. However, writers such as Robert D. Kaplan in *The Atlantic* see benefits to non-involvement; he wrote "the very indifference of most people allows for a calm and healthy political climate". The last thing America needs is more votersâ€”particularly badly educated and alienated onesâ€”with a passion for politics. Both the United States and Nicaragua permit dual citizenship. A person who is considered a citizen by more than one nation has dual citizenship. Anyone who becomes a naturalized U. The British Crown considered subjects from the United States as British by birth and forced them to fight in the Napoleonic wars. Rusk declared that a U. Men met regularly to discuss local affairs and make decisions. These town meetings were described as the "earliest form of American democracy" [29] which was vital since citizen participation in public affairs helped keep democracy "sturdy", according to Alexis de Tocqueville in *Citizenship* became less defined by participation in politics and more defined as a legal relation with accompanying rights and privileges. While the realm of civic participation in the public sphere has shrunk, [31] [32] [33] the citizenship franchise has been expanded to include not just propertied white adult men but black men [34] and adult women. Mozumdar was the first person born in the Indian

sub-continent to attain U. A few years earlier, as a result of the United States v. The Equal Nationality Act of 1906, was an American law which allowed foreign-born children of American mothers and alien fathers who had entered America before age 18 and lived in America for five years to apply for American citizenship for the first time. Birthright citizenship in the United States of America U. In addition to U. In 1868, the Fourteenth Amendment specifically defined persons who were either born or naturalized in the United States and subject to its jurisdiction as citizens. Children born outside the United States with at least one U. A child of unknown parentage found in the US while under the age of 5 is considered a US citizen until proven, before reaching the age of 22, to have not been born in the US. Upon the event of their eighteenth birthday, they are considered full citizens but there is no ceremony acknowledging this relation or any correspondence between the new citizen and the government to this effect. Citizenship is assumed to exist, and the relation is assumed to remain viable until death or until it is renounced or dissolved by some other legal process. Secondary schools teach the basics of citizenship and create "informed and responsible citizens" who are "skilled in the arts of effective deliberation and action". It offers web-based services. Citizenship and Immigration Services USCIS is committed to offering the best possible service to you, our customer" [56] and which says "With our focus on customer service, we offer you a variety of services both before and after you file your case. People applying to become citizens must satisfy certain requirements. For example, there have been requirements that applicants have been permanent residents for five years three if married to a U. This program is a drawing for foreigners to apply for a drawing to become a permanent resident. Since many people seek citizenship for its financial and social benefits, the promise of citizenship can be seen as a means of motivating persons to do dangerous activities such as fight in wars. For example, a article in The New York Times said that the United States Military was recruiting "skilled immigrants who are living in this country with temporary visas" by promising an opportunity to become citizens "in as little as six months" in exchange for service in Afghanistan and Iraq where US forces are "stretched thin". Some have been killed and others wounded Perhaps this can be seen as a cynical attempt to qualify more easily for U. But I think that service in the U. Eisenhower was quoted as saying: Section of the INA, added in 1952, enabled children of a U. The application Form NK may only be submitted by the U. Strong demand[edit] According to a senior fellow at the Migration Policy Institute , "citizenship is a very, very valuable commodity". The high fees have been criticized as putting up one more wall to citizenship. Richard Nixon The citizenship process has been described as a ritual that is meaningful for many immigrants. Citizenship and Immigration Services. However, one swearing-in ceremony was held at Arlington National Cemetery in Virginia in 1997. The judge who chose this venue explained: The title of " Honorary Citizen of the United States " has been granted eight times by an act of Congress or by a proclamation issued by the President pursuant to authorization granted by Congress. Sometimes, the government awarded non-citizen immigrants who died fighting for American forces with the posthumous title of U. Since corporations are considered persons in the eyes of the law , it is possible to think of corporations as being like citizens. There is some degree of disagreement among legal authorities as to how exactly this may be determined. The Fourteenth Amendment addressed citizenship rights. The United States nationality law , despite its "nationality" title, comprises the statutes that embody the law regarding both American citizenship and American nationality. For example, as specified in 8 U.S.C. 1401. Such person is said to be a non-citizen national of the United States. American Samoans continue to be U.S. Nationals. For an American Samoan to become a U.S. Citizen, the Minor Outlying Island is not specifically mentioned by law, but under international law and Supreme Court dicta, they are also regarded as non-citizen nationals of the United States. Both of these groups are not allowed to vote in federal or state elections , although there is no constitutional prohibition against their doing so. Every national of the United States statutorily transmits nationality to children born outside the United States. Candidates in the presidential election, such as Rudolph Giuliani , tried to "carve out a middle ground" on the issue of illegal immigration, but rivals such as John McCain advocated legislation requiring illegal immigrants to first leave the country before being eligible to apply as citizens. For example, issues such as asking questions about citizenship on the United States Census tend to cause controversy. Since immigrants from many countries have been presumed to vote Democratic if naturalized, there have been efforts by Democratic administrations to streamline citizenship applications before elections to increase turnout; Republicans , in

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contrast, have exerted pressure to slow down the process. For example, in the state of New Jersey in the election, the foreign born represented The USCIS has been criticized as being a "notoriously surly, inattentive bureaucracy" with long backlogs in which "would-be citizens spent years waiting for paperwork".

Chapter 8 : Citizenship of the United States - Wikipedia

Becoming a citizen through naturalization is a process in which a non-U.S. citizen voluntarily becomes an American citizen. U.S. citizens owe their allegiance to the United States and are entitled to its protection and to exercise their rights and responsibilities as citizens. Review this visual.

Is Dual Citizenship Allowed in December 7, In: Dual citizenship is allowed in the United States, but only under certain circumstances. There are many things to consider before you seek citizenship in another country besides the one you were born in. What Is Dual Citizenship? Your citizenship is often determined by where you were born – if you were born in the United States, you are more than likely a US citizen. Your citizenship also depends on the citizenship of your parents or other family members. Many people gain dual citizenship at their birth through their parents. Say that a US couple has a baby while in Canada. The child born abroad is a Canadian citizen due to the place of birth, but the child also gains US citizenship because the parents are US citizens who fulfilled residency requirements. Keep in mind that not all countries give automatic citizenship to a child born within their borders. It used to be common to gain dual citizenship through marriage – but this is increasingly uncommon today, as countries around the world have regulated processes that often require applications, fees and translations of personal documents for immigration. Naturalization is the most common way to gain citizenship in a different country than the one where you were born. While many countries allow naturalization, they may also require that candidates for naturalization renounce their previous citizenship. Dual Citizenship in the United States Dual citizenship had previously been banned in the United States, but in the US Supreme Court struck down most laws forbidding dual citizenship. However, the US government remained disdainful of dual citizenship for some time. To this day, candidates for US citizenship through naturalization are forced to at least hypothetically renounce their previous citizenship at the United States naturalization ceremony. Some cases that have been brought before the Department of State in the past involve people who became naturalized US citizens but maintained a residency and life in their country of previous citizenship. The US government used to aggressively pursue these cases to get the dual citizens to renounce their citizenship, but this is no longer the case. People who have held dual citizenship since birth or childhood – or who became citizens of another country after becoming a US citizen and were not asked to renounce their previous citizenship – can remain dual citizens in the United States. If you are immigrating from a country that speaks a language other than English, these documents will need to be translated. Personal documents that may require translation for US citizenship include: Birth certificates, Passports, and Immigration paperwork When getting these documents translated, it is imperative that you work with a professional translation company such as Legal Language. We take the time to vet all of our linguists, ensuring that they are fluent in both the source and target languages. We are also able to provide certified translations of your personal documents and have years of experience in preparing documents for immigration purposes. Free Certified Translation Quote.

Chapter 9 : State Citizen or US Citizen?

U.S. citizenship may be acquired either at birth or through naturalization subsequent to birth. Persons born outside of the U.S. may acquire U.S. citizenship under certain circumstances. You are about to leave racedaydvl.com for an external website that is not maintained by the U.S. Department of.

The benefits which the man enjoys as a member of a state are called rights. These rights are indispensably necessary for the welfare of the individual and society. The citizens enjoy these rights given by the state and by the help and support of the state. The state inflicts punishment if anybody encroaches upon the rights of a citizen. Then it can be said that the rights are meant some fundamental privileges which are recognised by the state with the help of which the individual develops his personality and does the welfare of the society. What is this right? In this context a definition of Laskis may be pointed out. The classification of rights: The rights are generally divided into two broad categories as: The legal right is again divided into two divisions, such as; social right and political right. The classification of rights is shown below in a diagram. Add diagram here

Moral Right Legal Right: The rights that are created from the rules of society and conscience are called moral rights; e. If the moral rights are violated, the society hates or criticizes. But there is no provision for inflicting punishment for it. The rights created and approved by the state are called legal rights; e. For the violation of this right the violator is punished. Civics deals with the legal rights. The rights which help the citizens to lead a civil and improved life and the rights which are indispensably necessary for safety and security of life in the society are called the Social rights. These rights help to develop the virtues of the individual. Without these, it is not possible on the part of a man to lead improved social life. The main Social rights are discussed below:

Right to security of life: The right to security of life is the right to life. Unless there is the safety of life other rights become meaningless. It is the responsibility of the state to save the life of the citizens. The right to property means to acquire property, to enjoy property and the facilities to transfer property. It is the responsibility of the state to give security of property. The right to movement: All the citizens have the right to move freely every where in the state. This is a] fundamental right. But if the free movement of the individual becomes the cause of harm to the state, the state can debar him from that. Right to express opinion: This right is the right of freedom to express opinion. This is an important right without this right democracy cannot work. But if the opinion is anti-state or destructive, the state can control it. It is desirable that the opinion should be reasonable, constructive and beneficial to the people. Freedom of the Press: This is the right to express opinion freely through newspapers or books. Newspapers criticizes the government activities and policies. They publish opinions of the government or opposition. These are necessary to form public opinion. To express anti-state and obscene opinion does not fall within this right. In a democratic state this is an important right. Right to hold meeting: The state recognizes the right of holding meetings on different matters. But if te holding of meeting and association are not creative and noble rather they are anti-state or with unlawful motive, the state can control those activities. The citizens have the right to contract for trade and commerce, transfer of property or any other matter. The state helps the citizens to maintain the terms of the contract. But a contract against the state or public welfare cannot be entered into. Right to form family: Right to form family is indispensably necessary for a civilized society. Social life grows up centering round the family. To marry, to produce children, to bring up them and the inheritance are under this right. With the right to religion the citizens at their own will can accept religion, perform the religious rites and preach the religion. Others cannot put obstruction to it. A citizen can take up any lawful profession according to his qualification. Equality in the eye of law: Equality in the eye of law means that law is applicable equally for all. The rich and the poor, the strong and the weak- all must obey the law of the state. For committing crime all will suffer the punishment. Right to health and education: For the development of life, health and education are indispensably necessary. The state must ensure the security of public health providing treatment of illness, cleanness, nutrition and safe drinking water. Education makes worthy and conscious citizen. Every citizen has the right to education. It is the duty of the state to provide opportunity of education for all. Right to culture and language: Every citizen has the right to maintain the identity of his own culture and language. This right is

indispensably necessary for the citizens of all religion and community to maintain their own independence and identity. Political Right The facilities by which the individual can actively participate in conducting the administration of the state are called the political right. Some important political rights are discussed below: Every citizen has the right to live in any corner of the state without encroaching upon the right of other citizens and not doing any harm to the state. The right to election is of two types. One is the right to election and the other is the right to be elected. Right to security during the stay in foreign land: When any citizen stays in a foreign land and if he faces any difficulty or danger, he can demand security from his own state. Right to get government service: Every citizen has the right to get government service according to his qualification. Through this the citizens take part in state affairs. Every citizen has the right to apply to the proper authority informing of his problems and to expect justice on his application. Right to individual freedom: Every citizen has the right to individual freedom. In a democratic country if this right is violated unlawfully, the citizens can prevent it. When any citizen stays in a foreign land and if he faces any difficulty, he can demand security from his own state. Citizen has no right to get government service. Duties of the Citizens With the enjoyment of the rights given by the state, the citizens have to discharge some duties also. In civics these responsibilities are called the duties. The main duties of the citizens are described below: One of the responsibilities of the citizen is to owe his allegiance to the state. Allegiance means to remain obedient. The citizens will always be ready to make sacrifice also at the necessity of the state. It is the duty of the citizens to join the armed forces and to fight for the defense of the country. To always help the government employees to maintain law and order of the state is also included in owing allegiance. To obey the law: To obey all the prevalent laws of the state is another important duty of the citizens. Everybody must obey the laws for the maintenance of peace, discipline and security of the state. To cast vote with honesty: The citizens take part in the administration of the state through the casting of vote.