



# HISTORY & GEOGRAPHY

STUDENT BOOK

▶ **9th Grade** | Unit 5

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# HISTORY & GEOGRAPHY 905

## Citizenship

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# Citizenship

## Introduction

“We the people of the United States...” This phrase begins one of the most impressive human documents ever written, the United States Constitution. The Constitution determines the shape of the national government. The forefathers of this nation had a sixfold objective in view when they established the Constitution:

- (1) to form a more perfect union,
- (2) to establish justice,
- (3) to ensure domestic tranquility,
- (4) to provide for the common defense,
- (5) to promote the general welfare, and
- (6) to secure the blessings of liberty to themselves and their posterity.

We are their posterity. Our forefathers who founded this nation left us a legacy of courage and

commitment. They have laid the foundation for building the nation; our task is the continuing of that work.

“We the people of the United States” is a phrase that reflects the character of this nation. The United States is a nation where the people are sovereign. As a group united, the people assume the responsibility for the direction and purpose of the nation. Government in the United States is the people. Being a member of the sovereignty means the possession of citizenship. Being a viable member of the sovereignty means the expression of citizenship.

In this LIFE PAC® you will learn the ways in which citizenship is acquired, the rights of citizenship, and the responsibilities of citizenship. You will study parts of the Constitution to learn about the framework for citizenship. You will also study Supreme court decisions to learn about the essence of citizenship. Finally, you will learn of opportunities in which you can express your citizenship in meaningful ways.

## Objectives

Read these objectives. The objectives tell you what you will be able to do when you have successfully completed this LIFE PAC. When you have finished this LIFE PAC, you should be able to:

1. Explain the ways in which a person gains citizenship by birth.
2. Describe the processes of naturalization.
3. Tell the ways citizenship can be lost.
4. Explain the First Amendment rights.
5. List the personal rights of the Constitution.
6. Explain property rights of the Constitution.
7. Explain the privileges or immunities of citizenship.
8. List the ways to keep politically informed.
9. Tell the ways to participate in government.
10. Tell the ways to participate in politics.
11. Explain voting requirements and behavior.

# 1. ACQUISITION OF CITIZENSHIP

United States citizenship can be likened to the figure of the olive tree that Paul discusses in Romans chapter 11. When a branch is attached to an olive tree, it is a full member like the other branches, a “citizen” of the tree. Branches can be attached to a tree either through natural budding or through grafting. The branches that bud and develop on the good tree are citizens from birth. They grow up on the tree and partake of the root and fatness of the tree as a birthright. The majority of United States citizens acquire their citizenship as a birthright.

Branches cut from a wild or foreign tree can be grafted into the good tree, becoming citizens. These branches are mature at the time of grafting and completely severed from their native wild tree. They grow on the good tree, partaking of the root and fatness as a result of the grafting process. Many adult aliens become

United States citizens each year through naturalization. Naturalization is a legal process of establishing a break from their native land and granting citizenship in their new country.

Paul indicates that the natural branches could be broken off from the tree. Since their birthright is to be a member of the good tree, they could easily and quickly be grafted back in. The branches from the wild tree differ from the natural branches. Although citizens, the wild branches “stand by faith,” and if they are broken off, no mention is made of their being grafted in again. Just as those branches relate to the tree, so is the citizenship of those by birth and those by naturalization.

In this section of the LIFEPAK, you will study how United States citizenship is acquired and how it can be lost.

## SECTION OBJECTIVES

**Review these objectives.** When you have completed this section, you should be able to:

1. Explain the ways in which a person gains citizenship by birth.
2. Describe the processes of naturalization.
3. Tell the ways citizenship can be lost.

## VOCABULARY

**Study these words to enhance your learning success in this section.**

**abjure** (ab jūr). To give up or renounce.

**allegiance** (u lē ´ juns). The loyalty a citizen owes to his country or government.

**anarchist** (an ´ ur kist). Someone who promotes disorder or the overthrow of the government.

**broker** (brō ´ kur). A person who buys and sells items for other people.

**domicile** (dom ´ u sī l). A place of permanent residence.

**ensue** (en sü). To follow after; result.

**expatriate** (eks pā ´ trē ā t). To withdraw or be banished from one’s country; exiled.

**fidelity** (fī del ´ u tē). Faithfulness or loyalty.

**jeopardy** (jep ´ ur dē). A risk or danger; the risk of being convicted for a crime.

**jurisdiction** (jū r is dik ´ shun). Under the control of a government or country; authority; power.

**mission** (mish´ un). A group of people sent to a country to conduct special business.

**polygamist** (pu lig´ u mist). A person who has more than one wife at the same time.

**potentate** (pō´ tun tā t). A ruler.

**precedence** (pres´ u duns). Something that has greater importance; to come before in time and order.

**prima-facie** (prī´ mu fā´ she). At first view.

**renounce** (ri nouns). To give up entirely.

**repudiate** (ri pyü´ dē ā t). To refuse to accept; reject.

**sovereign** (sov´ run). The supreme ruler. To be independent of the control or authority of another country or government.

**subversive** (sub vēr´ siv). To want to overthrow; a person who wants to overtake a government.

**treason** (trē´ zun). To act against one’s country or ruler; disloyalty.

**waive** (wā v). To surrender or give up a right or privilege.

**Note:** All vocabulary words in this LIFEPAK appear in **boldface** print the first time they are used. If you are not sure of the meaning when you are reading, study the definitions given.

**Pronunciation Key:** hat, āge, cāre, fār; let, ēqual, tērm; it, īce; hot, ōpen, ōrder; oil; out; cup, pūt, rüle; child; long; thin; /ʒh/ for then; /zh/ for measure; /u/ represents /a/ in about, /e/ in taken, /i/ in pencil, /o/ in lemon, and /u/ in circus.



## DEFINITION OF CITIZENSHIP

Citizenship means full membership in a political community. Chief Justice Morrison R. Waite expounded this idea more than one hundred years ago:

*The very idea of a political community, such as a nation is, implies an association of persons for the promotion of the general welfare. Everyone of the persons associated becomes a member of the nation formed by the association. He owes it **allegiance** and is entitled to its protection....*

*For convenience it has been necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words “subject,” “inhabitant,” and “citizen” have been used, and the choice between them is sometimes made to depend upon the form of government. Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican*

*government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense, it is understood as conveying the idea of membership of a nation, and nothing more.<sup>1</sup>*

<sup>1</sup>21 Wallace 162 (1875).

Not all persons residing in a nation possess membership in that nation. Persons who are not United States citizens are either aliens or non-citizen nationals. Aliens are (1) persons who have immigrated to this country but have not obtained citizenship; (2) students, tourists, or business representatives who are citizens of foreign nations, temporarily residing in this country; and (3) representatives of foreign governments who are in this country by invitation of the United States government. Noncitizen nationals are persons who owe allegiance to this country and receive its protection but do not have all the privileges of citizenship. As an

example, the people of American Samoa are noncitizen nationals.

Although the word *citizen* is used in the Constitution of the United States, it is nowhere defined in the body of that document. *Citizen* was first defined in a government draft in the Fourteenth Amendment (1868), eighty-one years after the Constitution was written. This amendment states that “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.” Four important aspects of citizenship are found in the Fourteenth Amendment:

- (1) Citizenship may be attained by birth,
- (2) Citizenship may be attained by naturalization,
- (3) Only those born or naturalized in the United States who are subject to its jurisdiction are its citizens, and
- (4) United States citizens are also citizens of the State in which they reside.

To better understand the acquisition of citizenship, each of these four aspects will be studied.



### Complete these activities.

#### 1.1 Define *citizenship*.

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#### 1.2 Identify these noncitizen residents of the United States:

a. aliens \_\_\_\_\_

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b. noncitizen nationals \_\_\_\_\_

#### 1.3 Name the government document that first defines *citizen*. \_\_\_\_\_

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## CITIZENSHIP BY BIRTH

Modern nations use two principle rules for determining citizenship by birth: place of birth (*jus soli*: right of the soil) and parentage (*jus sanguinis*: right of blood). Many European countries, such as France and Italy, follow the principle of *jus sanguinis*. The United States and Canada stress *jus soli* but also allow for certain forms of *jus sanguinis*.

**Place of birth.** The Fourteenth Amendment states in barest terms that “All persons born... in the United States, and subject to the jurisdiction thereof, are citizens of the United States....” The Supreme Court has given a full interpretation of this clause in *United States v. Wong Kim Ark*.

Wong Kim Ark was born in California in 1873 of parents who were citizens of China and, under the laws of the United States, were ineligible to become citizens of the United States. Mr. Wong twice visited China, the second time to arrange through a marriage **broker** for the selection of a Chinese bride. He was refused admission into the United States by our immigration officials on his return from his second visit to China. Entry was denied on the assumption that he was not a United States citizen because his parents gave allegiance to the emperor of China. Furthermore, the immigration authorities argued that his sojourns in China **repudiated** any claim he had to United States citizenship.

When his case came before the Supreme Court, Wong Kim Ark was shown to be a United States citizen by *jus soli*, and his visits to China were shown not to affect his claim to citizenship. Writing for the court, Justice Horace Gray clearly defined the intent of the Fourteenth Amendment:

*The Fourteenth Amendment affirms the ancient and fundamental rule of citizenship by birth within the territory, in the allegiance and under the protection of the country, including all children here born of resident aliens, with the exceptions or qualifications*



| Wong Kim Ark, Citizen by Birth

*(as old as the rule itself) of children of foreign **sovereigns** or their ministers, or born on foreign public ships, or of enemies within and during a hostile occupation of part of our territory. . . No act or omission of Congress, as to providing for the naturalization of parents or children of a particular race, can affect citizenship acquired as a birthright, by virtue of the Constitution itself, without any aid of legislation.<sup>2</sup>*

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<sup>2</sup>169 U.S. 649 (1898).

The Wong Kim Ark decision is important because it establishes the principle of *jus soli* for the United States, defines the limits of that principle, and provides protection against a citizen being deprived of his birthright.

Citizenship by *jus soli* has been further defined by the McCarran-Walter Immigration and Nationality Act of 1952 and by many court decisions. Those who possess United States citizenship by *jus soli* now include persons born in the following places:

- (1) in the United States;

- (2) in the District of Columbia, Puerto Rico, the Virgin Islands, and Guam;
- (3) in a United States **mission** abroad;
- (4) on a United States public vessel; and
- (5) on a foreign merchant vessel in United States territorial waters.

The one stipulation on attaining United States citizenship by *jus soli* is that a person must be subject at birth to the jurisdiction of the United States. After pointing out the exceptions to *jus soli* in the Wong Kim Ark decision, Justice Gray defined the jurisdiction stipulation on citizenship:

*Every citizen or subject of another country, while **domiciled** here, is within the allegiance*



*and the protection, and consequently subject to the jurisdiction of the United States....*



### Complete these statements.

- 1.4 The literal meaning of *jus soli* is \_\_\_\_\_.
- 1.5 For citizenship, *jus soli* refers to \_\_\_\_\_.
- 1.6 The literal meaning of *jus sanguinis* is \_\_\_\_\_.
- 1.7 For citizenship, *jus sanguinis* refers to \_\_\_\_\_.

### Complete these activities.

- 1.8 Explain the importance of the decision in *United States v. Wong Kim Ark* for citizenship.

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- 1.9 Define *jurisdiction* using the Wong Kim Ark decision. \_\_\_\_\_

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- 1.10 List three places where United States citizenship is conferred by *jus soli*.

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

**Parentage.** Citizenship by *jus sanguinis* is defined by the Immigration and Nationality Act of 1952 (the McCarran Act). This act provides that a person without United States citizenship by *jus soli* can claim citizenship under any of the following conditions:

- (1) If born of parents both of whom are United States citizens and at least one of whom has established residence in the United States;
- (2) If born in an American outlying possession of parents one of whom is a citizen who has lived in the United States at least one year;
- (3) If born of parents one of whom is a non-citizen national and the other is a citizen who has lived in the United States for at least one year;
- (4) If born of parents one of whom is an alien and the other is a citizen who has lived in the United States for at least ten years, five of which must have been after that parent reached the age of fourteen, and provided that the child lives in the United States continuously for five years between his fourteenth and twenty-eighth birthdays; and
- (5) If found in the United States under five years of age, of unknown parentage, and not shown prior to attaining twenty-one years of age to have been born outside of the United States.

Principles for determining citizenship have not been standardized among the nations of the world. One country may stress citizenship by *jus sanguinis*, and another may stress citizenship by *jus soli*. Consequently, an individual could possess citizenship in two countries; he may have dual citizenship. As an example, a person born in the United States of resident Italian parents is a citizen of the United States by *jus soli* and a citizen of Italy by *jus sanguinis*. While he is in the United States or while he travels abroad with a United States passport, he is considered a citizen of the United States. If his parents return to Italy or if he visits Italy for a long time, the Italian government may claim him as an Italian citizen. In that case the United States government would allow Italy to claim him.

Individuals possessing dual citizenship sometimes find themselves in a difficult position. During time of war, by giving allegiance to one country, a person with dual citizen may be committing **treason** against another.

A type of dual citizenship also occurs within the boundaries of the United States. The Fourteenth Amendment states that citizens of the United States are also citizens of the State wherein they reside. However, this dual citizenship does not create the problems inherent in dual national citizenship. If any conflict arose between national and state law, the national law would take **precedence**.

**Complete this activity.**

**1.11** List three conditions whereby a person can claim United States citizenship through *jus sanguinis*.

a. \_\_\_\_\_  
\_\_\_\_\_

b. \_\_\_\_\_  
\_\_\_\_\_

c. \_\_\_\_\_  
\_\_\_\_\_

**Write true or false.**

**1.12** \_\_\_\_\_ A United States citizen cannot be a citizen of another nation at the same time.

**1.13** \_\_\_\_\_ Persons with dual citizenship cannot obtain both citizenships by *jus soli*.

**1.14** \_\_\_\_\_ All United States citizens possess a type of dual citizenship.

**1.15** \_\_\_\_\_ Dual national citizenship never creates problems.

**1.16** \_\_\_\_\_ The McCarran-Walter Immigration and Nationality Act of 1952 defines citizenship by *jus sanguinis*.

**CITIZENSHIP BY NATURALIZATION**

The term *naturalization* means establishing a person as if he were a native: granting citizenship to a person. The power to grant United States citizenship was invested in the Congress through the Constitution. Article I, Section 8, of the Constitution states, "The Congress shall have Power... To establish an uniform Rule of Naturalization... throughout the United States." Congress first used that power in 1790 and has been controlling naturalization since that time. Many people have been naturalized in large groups by treaties or special acts of Congress. However, most naturalization procedures grant citizenship individually with these procedures currently determined under the provisions of the McCarran Act.

**Group naturalization.** During the years of the formation and expansion of the United States, large groups of people became citizens through congressional action. When the Constitution was adopted, all the citizens of the individual states became citizens of the United States. As the United States expanded its territory, residents of the newly acquired land became United States citizens. Included in this procedure were the residents of the Louisiana territory in 1803, of Florida in 1819, and of Alaska in 1867. When Texas was admitted to the Union in 1845, all Texans were given United States citizenship. By special legislative acts United States citizenship was conferred upon the inhabitants of Hawaii in 1900, of Puerto Rico in 1913, of the

Virgin Islands in 1927, and of Guam in 1950. In 1924 Congress extended citizenship to all non-citizen Indians in the United States.

**Individual naturalization.** The most common method of extending United States citizenship to an alien is by individual naturalization. To be eligible for naturalization, the immigrant must satisfy many requirements. He must be at least eighteen years of age, must have entered the country legally, and must have resided in the United States continuously for five years and in the state where he petitions for naturalization for six months. He must be able to speak, read, write, and understand the English language. He also must display a basic understanding of United States history and government. An investigation must prove him to possess “good moral character, attachment to the principles of the Constitution ...and disposition toward the good order and happiness of the United States.”

Some of these requirements have been modified for persons in special cases. Aliens who have lived in the United States for twenty years and who were at least fifty years of age on December 24, 1952 are exempt from the English language skills requirement. The residence requirement is **waived** for certain former citizens, aliens who have served or are now serving in the armed forces of the United States, and alien crewmen employed on American owned vessels with the United States as home port. The residence requirement for an alien spouse of a United States citizen has been reduced to three years. All requirements are waived for an alien under sixteen years of age; he becomes a citizen if both his parents are naturalized.

Naturalization is administered by the Immigration and Naturalization Service of the Department of Justice. The naturalization process is initiated by the immigrant upon filing his petition for naturalization with a court. In the petition the alien states his intention to **renounce** his citizenship in the country from which he came. He states his belief in the principles of



the Constitution and affirms that he belongs to no group that advocates the overthrow of the United States government. He further states that he is not an **anarchist** nor a **polygamist**. His claim to have lived in the United States continuously for five years, to be of good moral character, and to believe in the principles of the Constitution must be supported by the oath of two citizens.

After the petition has been filed, materials on United States history and government are sent to the applicant. These materials are also used in classes held to assist him in preparing to meet the requirement of understanding some basic facts about the United States. The petition also begins an investigation of the applicant's life since the time he arrived in the United States. This investigation is conducted by field workers of the Immigration and Naturalization Service and draws information from the applicant's employers, associates, neighbors, and local civil officials. Upon completion of the investigation, the service makes recommendations regarding citizenship in a preliminary hearing.

The final hearing is held in open court and cannot occur within thirty days after filing the petition nor thirty days before an election. At this hearing the judge considers the recommendations of the Immigration and Naturalization

Service and the applicant's understanding of the English language and United States government. Having been approved by the judge, the applicant is advised of the responsibilities and importance of United States citizenship.

The applicant then takes the following oath of allegiance to the United States:

*I hereby declare, on oath, that I absolutely and entirely renounce and **abjure** all allegiance and **fidelity** to any foreign prince, **potentate**, state, or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic;*

*that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; or that I will perform noncombatant service in the armed forces of the United States when required by the law; or that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God.*

The new citizen is granted a certificate of naturalization and is given the opportunity to have his named changed. This final hearing and ceremony are often held on Citizenship Day, September 17.



### Answer these questions.

- 1.17 What is meant by *naturalization*? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 1.18 Which government service administers naturalization? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 1.19 Under which act is naturalization administered? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### Write the letter of the correct answer on each line.

- 1.20 Special legislative acts conferred United States citizenship on the inhabitants of \_\_\_\_\_.  
 a. Canada                      b. New York                      c. Hawaii                      d. California
- 1.21 In 1924 Congress granted United States citizenship to all \_\_\_\_\_.  
 a. Italians                      b. Indians                      c. Mexicans                      d. Hawaiians
- 1.22 To be eligible for naturalization, an immigrant must be able to speak, read, write, and understand \_\_\_\_\_.  
 a. his name                      b. poetry                      c. the Constitution                      d. the English language
- 1.23 In the oath of allegiance, the applicant swears to \_\_\_\_\_.  
 a. renounce all allegiance to his former nation  
 b. read the Constitution and the laws of the United States  
 c. work at a lawful job  
 d. a, b, and c

# SELF TEST 1

**Match these items** (each answer, 2 points).

- |              |   |                         |
|--------------|---|-------------------------|
| <b>1.01</b>  | _____ United States oath of allegiance        | a. <i>jus soli</i>      |
| <b>1.02</b>  | _____ rule of France and Italy                | b. <i>jus sanguinis</i> |
| <b>1.03</b>  | _____ treason                                 | c. naturalization       |
| <b>1.04</b>  | _____ September 17                            | d. denaturalization     |
| <b>1.05</b>  | _____ Wong Kim Ark                            | e. expatriation         |
| <b>1.06</b>  | _____ born in Guam of United States citizens  | f. deprivation          |
| <b>1.07</b>  | _____ parentage                               | g. stateless            |
| <b>1.08</b>  | _____ foreign oath of allegiance              |                         |
| <b>1.09</b>  | _____ right of the soil                       |                         |
| <b>1.010</b> | _____ Indians in 1924                         |                         |
| <b>1.011</b> | _____ join a subversive group                 |                         |
| <b>1.012</b> | _____ born in Japan of United States citizens |                         |
| <b>1.013</b> | _____ right of blood                          |                         |
| <b>1.014</b> | _____ loss of government                      |                         |
| <b>1.015</b> | _____ join a foreign army                     |                         |

**Write the letter of the correct answer on each line** (each answer, 2 points)

- 1.016** United States citizenship is conferred in the Virgin Islands by \_\_\_\_\_ .
- |                   |                         |
|-------------------|-------------------------|
| a. the mayor      | b. <i>jus soli</i>      |
| c. naturalization | d. <i>jus sanguinis</i> |
- 1.017** United States citizenship is conferred in England by \_\_\_\_\_ .
- |                          |                    |
|--------------------------|--------------------|
| a. <i>jus sanguinis</i>  | b. <i>jus soli</i> |
| c. Justice Lott M. Smith | d. naturalization  |
- 1.018** Chief Justice Waite defined citizenship \_\_\_\_\_ .
- |                                    |   |
|------------------------------------|---|
| a. being born in the United States | b. the right to vote                        |
| c. being a citizen                 | d. full membership in a political community |
- 1.019** Persons who have immigrated to the United States but not obtained citizenship are \_\_\_\_\_
- |               |                           |
|---------------|---------------------------|
| a. foreigners | b. non citizens nationals |
| c. lazy       | d. aliens                 |



**Answer these questions** (each numbered item, 5 points).

**1.034** Why is the Wong Kim Ark decision important for citizenship? \_\_\_\_\_

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**1.035** How can a person acquire dual citizenship? \_\_\_\_\_

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**1.036** How do thousands of people lose their citizenship each year? \_\_\_\_\_

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**1.037** How do thousands of people gain their citizenship each year? \_\_\_\_\_

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	<b>SCORE</b> _____	<b>TEACHER</b> _____	_____
		initials	date



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