

Module 7: Civil Rights and Civil Liberties

Topic 3 Content: Citizenship

Introduction



Demi Tracy: Welcome to the program. A citizen is a person who is a member of a nation, and who is entitled to the civil liberties, civil rights, and other governmental protections offered by that nation. Typical Americans may think about their citizenship on occasions, but it is rarely a major concern. Citizenship takes on a completely different meaning for an immigrant coming to America. To help guide our discussion of citizenship, we asked Julio Czar to join us in the studio.

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Origins



Julio Czar: Thank you for the introduction, Demi. In order for an individual to fully participate in American democracy, he or she must be a citizen. A person must have citizenship to vote, serve on a jury, or run for public office. In the past, many Americans were denied their civil liberties and civil rights, on the grounds that they were not considered citizens. Citizenship is an important aspect of being an American. Today we will discuss how a person becomes an American citizen.


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Citizenship by Birth

Citizenship by Birth

Anyone born in the United States or in a U.S. territory is considered a citizen.



jus soli = law of the soil

Julio Czar: The majority of Americans become citizens by birth. Anyone born in the United States or in a U.S. territory is considered a citizen. For example, if you are born in the state of Virginia or the territory of Guam, you are an American citizen by birth. This concept is known as jus soli, which is Latin for “law of the soil.” It is supported by the Fourteenth Amendment, which says, “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.” There are some exceptions to this. An example is a child born in the United States of a foreign diplomat.

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Citizenship by Parentage

Citizenship by Parentage

A person born in another country to parents who are American citizens is also considered a U.S. citizen.



jus sanguinis = law of the blood

Julio Czar: When a person is born in another country to parents who are American citizens, that child is also considered a U.S. citizen. For example, if your parents are Americans who live and work on a military base in Germany, you are an American citizen by birth, even though you were born in Germany. This concept is known as jus sanguinis, which is Latin for “law of the blood.” There are more exceptions to this method of becoming a citizen, which are outlined in the Immigration and Nationality Act.

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How Noncitizens Become Citizens

How Noncitizens Become Citizens



Naturalization is the legal method whereby an immigrant becomes a citizen.

A potential citizen must have:

- A continuous period of lawful residence and physical presence in the U.S.
- The ability to read, write, and speak English.
- Good moral character.
- A belief in the principles of the U.S. Constitution.



Julio Czar: America has been a nation of immigrants throughout history, but how do these noncitizens become citizens? This process, called naturalization, is the legal method whereby an immigrant becomes a citizen. Naturalized citizens have the same rights as native-born citizens, with one notable exception: naturalized citizens cannot be the President or the Vice President of the United States. Other than that, they are guaranteed the same rights and protections as native-born citizens.

For an immigrant to be eligible for citizenship, he or she must meet certain requirements. A potential citizen must have:

- a continuous period of lawful residence and physical presence in the United States;
- the ability to read, write, and speak English;
- good moral character; and
- a belief in the principles of the U.S. Constitution.

If an immigrant meets these requirements, he or she must also pass a citizenship exam and take an oath of allegiance to the United States.

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Losing Citizenship

Losing Citizenship

The Supreme Court has ruled that revoking citizenship cannot be used as punishment for a crime in most situations.

Citizenship may be revoked for the following reasons:

- Treason against the U.S. government.
- Fraud was used to become a citizen initially.
- Swearing an oath to another government or serving in the government of another nation.
- Restrictions on rights of citizenship for felony convictions.
- Decide to give up citizenship voluntarily, known as expatriation.

Next 



Julio Czar: Many times, the focus of a conversation about citizenship is how people become citizens. There are some circumstances in which American citizens can lose their citizenship. The Supreme Court has ruled that revoking citizenship cannot be used as punishment for a crime in most situations, since it would constitute cruel and unusual punishment; however, if a case involves treason against the U.S. government, citizenship may be revoked.

Citizenship may also be revoked if fraud was used to become a citizen initially. If an immigrant forges documents or provides false information during the process of naturalization, his or her status can be revoked. Another way citizenship may be revoked is if an American swears an oath to another government or serves in the government of another nation. If citizens are convicted of a felony, they will lose their right to vote; however, this restriction on the rights of citizenship can be reversed after the citizen's sentence and parole are completed. Finally, some Americans decide to give up their citizenship voluntarily. This is known as expatriation, and occurs when an American decides to live and participate in civic life in another country.

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Collective Naturalization



Julio Czar: Before we conclude this episode, I want to briefly mention collective naturalization, which occurs when the U.S. government grants entire groups of people citizenship. Perhaps the most famous example of this was when The Fourteenth Amendment was ratified, granting citizenship to all African Americans. Back to you, Demi.

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Ending of Episode



Demi Tracy: Excellent report, Julio! I'm Demi Tracy and this is Glover Mint, both wishing you a wonderful day.