

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

AMERICANISM

LESSON 03 SESSION 01

2.0 American Citizenship

2.0.1 Definition of citizenship.

Citizenship is that membership in a nation which includes full civil and political rights, subject to such limitations as may be imposed by the government thereof.

2.0.2 Origin of citizenship.

Citizenship as we understand it today is the result of centuries of social, economic, and political experiments, in which improvement in human relations has slowly developed the idea of the benefits of governmental rules and restrictions for the protection of the rights of persons and property.

Ancient Greece was composed of a number of city states, each one independent of the other and conferring certain privileges upon its subjects. The greatest advantages of citizenship among these city states was conferred by the Athenians, limited, however, to native sons of native fathers and mothers, excluding from such privileges foreigners and slaves. The Athenian idea of citizenship was philosophical rather than practical.

It was left to the Romans, in succeeding centuries, to develop the more practical phases of citizenship, i.e., safety of the Republic, public service, stern simplicity, devotion to duty.

Above all other duties and obligations was placed that of unselfish duty to the state. It was this Roman virtue of loyalty to public duty, this devotion on the part of the citizen to the interest of the state, that, more than any other quality of the Roman character, helped to make Rome great.

Roman citizenship was confined to a privileged class, native or adopted. In the Anglo-Saxon races there was slowly developed the idea and ideals of self-government and of individual worth, in contrast with the earlier Greek and Roman domination of the state over the individual.

Out of these experiments in government and human relations there has been evolved the ideals and principles of American citizenship.

2.0.3 Source of American citizenship.

The source of American citizenship is found in the Constitution and subsequent Federal enactments.

2.0.4 Acquisition of American citizenship.

American citizenship is acquired in two ways:

- By birth.
- By naturalization.

2.1 **Birth, Immigration and naturalization**

2.1.1 Birth

For 150 years following the first settlement of the American Colonies their inhabitants were citizens and subjects of a foreign power.

With the successful conclusion of the Revolutionary War, terminating with the treaty of peace, 1783, all persons born in the United States before the Declaration of Independence could be regarded as American citizens.

By the civil rights act of 1866 it was provided that all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are declared to be citizens of the United States.

By the fourteenth amendment to the Constitution 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.

It has been decided by the Supreme Court of the United States that the children of domiciled aliens born in the United States are citizens under the fourteenth amendment. This is also true of the children of alien parents ineligible to citizenship through naturalization.

2.1.2 Immigration

Under the Constitution, Congress is given the power over both immigration and naturalization. In order to determine their fitness to enter the United States, each immigrant, on his arrival, is subjected to a physical and mental examination by officers of the Public Health Service. Under the immigration act the following classes of persons are excluded from entering the United States:

- Idiots. Insane. Epileptics.

- Paupers and persons likely to become a public charge. Professional beggars.
- Persons suffering from tuberculosis or other dangerous or loathsome contagious diseases.
- Persons physically or mentally so defective as to be unable to making a living.
- Persons convicted of a crime or misdemeanor involving moral turpitude, Polygamists. Anarchists.
- Women or girls imported for immoral purposes and persons aiding in their importation.
- Contract laborers — that is, those induced to migrate by offers or promise of employment or by agreement, except artists and professional men.
- Children under 16 years of age unaccompanied by their parents.

With certain exceptions no alien ineligible to citizenship is admissible to the United States.

All aliens brought into the country in violation of the law are, if possible, immediately sent back to the country whence they came on the vessel bringing them, at the expense of the vessel owners.

There is also a heavy fine upon the transportation company or vessel owner for unlawfully introducing immigrants into the United States

Because of the great influx of non-assailable people, which tended to lower American standards of living, and to better develop a homogenous body politic, Congress, in 1923, passed the immigration restriction act.

The abnormal immigration to America is shown in the census returns of 1900 through 2010 as follows:

<u>Year</u>	<u>Legal</u>	<u>Illegal</u>
1900 -----	3,687,564 -----	
1910 -----	8,795,386 -----	
1920 -----	5,735,811 -----	
1930 -----		
1940 -----		
1950 -----		
1960 -----		
1970 -----		
1980 -----		
1990 -----		
2000 -----		
2010 -----		

The law governing immigration provides that the annual quota from each country until July 1, 1927, is 2 per cent of the number of foreign-born persons of such nationality resident in continental United States as shown by the 1890 census, but the minimum quota of any nationality shall be 100.

The quota for each fiscal year thereafter will be based on a total immigration of 150,000.

The annual quota of any nationality for the fiscal year beginning July 1, 1927, and for each fiscal year thereafter, shall be a number which bears the same ratio to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin (ascertained as hereinafter provided in this section) bears to the number of inhabitants in continental United States in 1920, but the minimum quota of any nationality shall be 100. — *Immigration laws, 1927.*