U.S. Government Name:

Mrs. Barnes

Citizenship, Civic Rights, and Civic Responsibilities

The U.S. Constitution, as originally written, did not define citizenship. It made reference to citizens and listed some of their rights, particularly in the Bill of Rights. But it did not say how citizenship was to be determined. At the time the Constitution was adopted, it was generally assumed that state citizens would become U.S. citizens. It was also assumed that a person born in the United States was a citizen. In 1857, however, the Supreme Court handed down a decision that shook up these assumptions. In the case of *Dred Scott v. Sandford*, the Court held that Dred Scott, an enslaved African American born in Virginia, was not a citizen and therefore could not sue for his freedom in federal court. Chief Justice Roger Taney argued that the framers never meant to include slaves under the protections of the Constitution. But if Dred Scott was not a citizen, what was he? And what did this decision mean for other African Americans? What rights could they claim under U.S. law?

**The Fourteenth Amendment Defines Citizenship**

The Fourteenth Amendment was adopted to address these issues and reverse the Dred Scott decision. This amendment clarified who was a citizen under the Constitution. It begins with these words:

*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.*

—Fourteenth Amendment, 1868

The purpose of the Fourteenth Amendment was to extend the rights of citizenship to former slaves. At the same time, it clearly states that all persons born on American soil are to be considered U.S. citizens, no matter where their parents were born. It also says that states cannot discriminate against citizens or deprive them of their rights without due process of law.

**Rights and Responsibilities**

Since the passage of the Civil Rights Act of 1964, the United States has experienced a huge increase in immigration, both legal and illegal. Once in this country, most lawful permanent residents enjoy most of the same legal rights as native-born Americans. These include the rights listed in the Bill of Rights, from freedom of speech to freedom from cruel and unusual punishment. American citizens, whether native-born or naturalized, enjoy additional rights. The most important are the right to vote, to hold public office, and to claim certain social and economic benefits. Some forms of welfare payments, for example, are available only to citizens. Most jobs in the federal government are limited to citizens only.

Similarly, all people living in the United States have certain legal responsibilities. They are required to obey laws, pay taxes, and cooperate with public officials. All males who are 18, whether they are citizens, lawful permanent residents, or undocumented immigrants, must register for military service. This is true even though the United States currently has an all-volunteer army.

Citizens have personal responsibilities, like taking care of one’s health, or caring for friends and family. Citizens also have civic responsibilities. They are expected to be informed about and participate in public affairs. Volunteering to serve the public good is another civic responsibility. Sometimes the obligation of citizenship requires that personal desires be subordinated to the public good. For example, a woman might have to miss work to attend jury duty or a man might feel obligated to research candidates in an election even though he would prefer to play soccer.

Political engagement is a choice, not a legal requirement. However, democracies function best when citizens choose good leaders and pay close attention to what those leaders do once elected. As Tocqueville observed almost two centuries ago, “The greatness of America lies not in being more enlightened than any other nation, but rather in her ability to repair her faults.” It is up to all of us as citizens to make sure such repairs are made when needed.

## Becoming an American Citizen

By 2010, nearly 40 million Americans, or about 13 percent of the U.S. population, were foreign born. Every year, hundreds of thousands of immigrants become U.S. citizens. They usually receive their citizenship at a large ceremony, along with many other new citizens. For most, the occasion is filled with emotion.

There are two ways to become a U.S. citizen. The most common way is by birth. Most Americans are born in the United States, though some are born in another country to parents who are U.S. citizens. Either way, citizens by birth automatically enjoy all the rights, privileges, and protections of citizenship. The other way to become a citizen is through naturalization. Naturalization is a multistep legal process that, when completed, gives the applicant virtually all the rights and responsibilities of a native-born citizen. In 2011, nearly 700,000 people became U.S. citizens through naturalization. The largest group of new citizens came from Mexico, but tens of thousands also came from India, the Philippines, China, Columbia, Cuba, and other countries.

Immigrants must meet several requirements to be eligible for naturalization. They must be at least 18 years old and lawful permanent residents of the United States. In most cases, such immigrants, also known as resident aliens, must have lived in this country for at least five years to be eligible for naturalization. After meeting those requirements, the next step is to complete an application for naturalization. If the application is approved, the applicant has an interview with an immigration official. At this meeting, applicants are tested on their ability to speak, read, and write English. They also take a civics test to show basic knowledge of American history and government.

The final step in the naturalization process is the citizenship ceremony. Here, applicants answer a few more questions. Then they take the oath of allegiance to the United States and receive a certificate of naturalization.

Naturalization gives new citizens the right to vote and run for any public office except that of vice president or president. The Constitution says that only native-born citizens can hold these offices. Critics of this rule argue that it is no longer necessary or fair because it excludes qualified foreign-born officials. However, supporters of the clause highlight its importance in preventing foreign influence over the U.S. government.

Follow-Up: (answer the following on a separate sheet of paper)

1. What is the importance of the 14th Amendment?
2. Create a T-Chart and identify all the civic rights and civic responsibilities mentioned in the reading.
3. Create a flow chart or diagram showing the steps one must take to become a naturalized citizen.