

SS.7.C.2.1

Define the term "citizen," and identify legal means of becoming a U.S. citizen.

SS.7.C.2.1 Benchmark Clarification 1: Students will define citizenship as stated in the Fourteenth Amendment.

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. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. – U.S. Constitution, Amendment XIV, Section 1 (1868)

The U.S. Constitution as ratified in 1789 did not include a definition of U.S. citizenship, but the Constitution mentioned citizenship several times. A formal definition of U.S. citizenship was added to the Constitution when the 14th Amendment was ratified in 1868.

The 14th Amendment, as shown above, defines citizenship as belonging to 1) anyone who is born in the United States, or 2) anyone who is an immigrant who has gone through the naturalization process.

There are two methods for someone to become a U.S. citizen by birth. If a person is born in the United States, in one of its territories, or at a U.S. embassy, that person is a citizen through the law of soil. This method of becoming a citizen does not require the person's mother or father to be a U.S. citizen. The other way to become a citizen by birth is for one of the person's birth parents to be a U.S. citizen. This means that U.S. citizenship is passed to the child from the natural mother or father. This method of gaining citizenship is called the law of blood.

Citizens, as explained in the 14th Amendment, are guaranteed their natural rights to life, liberty, and property, which cannot be taken away without due process.

In the United States there are also people who are considered aliens. Aliens are persons living in the U.S. who are not citizens. Aliens can be in the U.S. for temporary purposes (a job or visiting for a certain period of time) or as a legal permanent resident (someone who is permanently living in the U.S. legally but not a citizen).

14th Amendment - an amendment to the U.S. Constitution that defines citizenship, grants citizenship to former slaves, and defines voters as males at least 21 years of age

alien - any person not a citizen or national of a country

citizenship - being a legal member of a state and/or country

due process - the right of people accused of crimes to have laws that treat them fairly, so that they cannot lose their life or freedom without having their legal rights protected

immigrant - a person who comes to a country to live there permanently

law of blood - a person's citizenship at birth is the same as that of his or her biological mother or father

law of soil - a person's citizenship at birth is determined by the country where he or she was born

naturalization - the process by which an immigrant becomes a citizen

natural rights - the belief that individuals are born with basic rights that cannot be taken away by governments

ratify - confirm by expressing consent; formally approve