**II. Basis of Citizenship**

A. National Citizenship

* Founders let states decide who was a citizen
* **Naturalization –**

B. *Dred Scott V. Sandford*

* **Dred Scott –**
* His slaveholder took Scott to Illinois and the Wisconsin Territory(present-day Minnesota), which was a free state
* **1846 –**
* “**Once Free, Always Free” –**
* **1857 –**
* Court rules 7-2 against Scott
* All 9 justices wrote opinions
* **Doctrine of Interstate Comity –**
* C. Court’s Ruling
* African Americans were not citizens when the Constitution was written
* Had no claim to citizenship
* Congress was also not allowed to forbid slavery in any United States territory – Overturned the Missouri Compromise
* Missouri Compromise was unconstitutional because it violated the 5th Amendment
* **“No person shall be deprived of life, liberty, or property without due process of law”**

D. Civil War Amendments

* Most important constitutional issue in American history was decided by the Civil War
* **13th Amendment (1865) –**
* **14th Amendment (1868) –**
* **15th Amendment (1870) –**

E. Citizenship by Birth

* **Jus Soli** –
* **Jus Sanguinis –**
* One parent must have legal residence

F. Citizenship by Naturalization

* Naturalized citizens have most of the rights of native-born citizens
* **Qualifications**

1)

2)

3)

4)

5)

G. Steps to Citizenship

* Must fill a petition requesting citizenship
* Be at least 18
* Must be legal resident of U.S.
* Pass the citizenship test
* Two witnesses must testify on person’s character and integrity
* **Final Hearing –**

H. Losing Citizenship

* Only the federal government can take away citizenship
* **Expatriation –**
* People may lose citizenship because they commit federal crimes or lie during naturalization process