

Rule of International Law:

Two citizens in the nation of the United States

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In his work, “The Government of the United States: National, State, and Local,” (1922), William Bennett Munro (Professor of Municipal Government at Harvard University) [Footnote 1], states at page 73:

“So far as the rules of international law are concerned, only one citizenship is recognized, namely, citizenship of the United States. In relations with foreign powers all citizens of the United States, wherever resident, are alike; they are equally entitled to the protection of the national government; they carry the same sort of passport; they have the same privileges and immunities abroad. But constitutional law, the supreme law of the United States, still recognizes the dual nature of American citizenship, the Fourteenth Amendment being explicit on that point when it uses the words ‘citizens of the United States and of the states wherein they reside,’ although no one can now possess one form of citizenship without the other. Apart from the question of determining the courts in which suits shall be brought, however, the duality is not of any practical importance because citizens of the United States have the same privileges and immunities in all the states.”

<http://books.google.com/books?id=klsvAAAYAAJ&pg=PA73#v=onepage&q&f=false>

Section 1, Clause 1 of the Fourteenth Amendment is quoted by Munro as follows:

“citizens of the United States and of the **STATES** wherein they reside.”

However, Section 1, Clause 1 of the Fourteenth Amendment provides:

“citizens of the United States and of the **STATE** wherein they reside.”

This mistake is intentional as in the paragraph before this paragraph he writes:

“But the Fourteenth Amendment, adopted in 1868, reversed this doctrine, asserting that ‘all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the **STATES** wherein they reside.’ This amendment declared citizenship to be primarily of the United States and only consequentially of the several states. Citizenship of the United States was made fundamental. Since 1868 any citizen of the United

States by birth or naturalization becomes a citizen of a state by merely taking up his residence there. No state can either bestow American citizenship or withhold it.

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Munro's changing of the word "State" into the word "States" changes the meaning of the Fourteenth Amendment. Instead of one who is a citizen of the United States being a citizen of a State also by residing in a State, one who is a citizen of the United States, is according to Munro's, a citizen of the several States also by residing in a State. This he admits:

"But the Fourteenth Amendment, adopted in 1868, reversed this doctrine, asserting that 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the states wherein they reside.' *This amendment declared citizenship to be primarily of the United States and only consequentially of the **several states**.*"

However, this is not the case. When a citizen of the United States is residing within a State, a citizen of the United States is also a citizen of a State:

"The Fourteenth Amendment declares that citizens of the United States are citizens of the **state** within they reside; therefore the plaintiff was at the time of making her application, a citizen of the United States and a citizen of the State of Illinois.

We do not here mean to say that there may not be a temporary residence in one State, with intent to return to another, which will not create citizenship in the former. But the plaintiff states nothing to take her case out of the definition of **citizenship of a State** as defined by the first section of the fourteenth amendment." Bradwell v. State of Illinois: 83 U.S. 130, at 138 (1873).

<http://books.google.com/books?id=DkgFAAAAYAAJ&pg=PA138#v=onepage&q=&f=false>

William Munro concluded that: "So far as the rules of international law are concerned, only one citizenship is recognized, namely, citizenship of the United States."

This is incorrect. This paper will show that there are two citizenships, that is, citizens, not one, in the nation of the United States, under the Constitution of the United States of America.

Since the adoption of the Fourteenth Amendment, there are three sets of privileges and immunities in the law of the United States. This is shown in the *Slaughterhouse*

Cases:

“. . . Not only may a man be a citizen of the United States without being a citizen of a State, but an important element is necessary to convert the former into the latter. He must reside within the State to make him a citizen of it

It is quite clear, then, that there is a citizenship of the United States, and a citizenship of a State, which are distinct from each other, and which depend upon different characteristics or circumstances in the individual. . . .

Of the **privileges and immunities of the citizen of the United States**, and of the **privileges and immunities of the citizen of the State**, and what they respectively are, we will presently consider; but we wish to state here that it is only the former which are placed by this clause (first section, second clause) under the protection of the Federal Constitution, and that the latter, whatever they may be, are not intended to have any additional protection by this paragraph of the (Fourteenth) amendment. . . .” Slaughterhouse Cases: 83 (16 Wall.) 36, at 74 (1873).

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And:

“We think this distinction and its explicit recognition in this [the Fourteenth] Amendment of great weight in this argument, because the next paragraph of this same section (first section, second clause), which is the one mainly relied on by the plaintiffs in error, speaks only of **privileges and immunities of citizens of the United States**, and does not speak of those (**privileges and immunities of citizens of the several states**). The argument, however, in favor of the plaintiffs, rests wholly on the assumption that the citizenship is the same and the privileges and immunities guaranteed by the clause are the same. . . .

Fortunately we are not without judicial construction of this clause of the Constitution (Article IV, Section 2, Clause 1). The first and leading case of the subject is that of *Corfield v. Coryell*, decided by Mr. Justice Washington in the Circuit Court for the District of Pennsylvania in 1823.

‘The inquiry,’ he says ‘is, what are the privileges and immunities of citizens of the several states? . . .

This definition of the privileges and immunities of citizens of the states is adopted in the main by this court in the recent case of *Ward v. The State of Maryland*.” Slaughterhouse Cases: 83 (16 Wall.) 36, at 74, 76 (1873).

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The three sets of privileges and immunities are: privileges and immunities of a citizen of the United States; privileges and immunities of a citizen of a State; privileges and immunities of a citizen of the several States.

Privileges and immunities of a citizen of the United States are located at Section 1, Clause 2 of the Fourteenth Amendment:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

Privileges and immunities of citizen of a State are located in the constitution and laws of an individual State:

". . . Whatever may be the scope of section 2 of article IV — and we need not, in this case enter upon a consideration of the general question — the Constitution of the United States does not make the privileges and immunities enjoyed by the citizens of one State under the constitution and laws of that State, the measure of the privileges and immunities to be enjoyed, as of right, by a citizen of another State under its constitution and laws." McKane v. Durston: 153 U.S. 684, at 687 (1894).

<http://books.google.com/books?id=mmkUAAAAYAAJ&pg=PA687#v=onepage&q=&f=false>

Privileges and immunities of a citizen of the several States are designated at Article IV, Section 2, Clause 1 of the Constitution:

"In speaking of the meaning of the phrase '**privileges and immunities of citizens of the several States**,' under section second, article fourth, of the Constitution, it was said by the present Chief Justice, in *Cole v. Cunningham*, 133 U.S. 107, that the intention was 'to confer on the **citizens of the several States a GENERAL CITIZENSHIP**, and to communicate all the privileges and immunities which the citizens of the same State would be entitled to under the like circumstances, and this includes the right to institute actions.' " Maxwell v. Dow: 176 U.S. 581, at 592 (1900).

<http://books.google.com/books?id=8toGAAAAYAAJ&pg=PA592#v=onepage&q&f=false>

Corresponding to these three sets of privileges and immunities are three citizenships; citizenship of the United States, citizenship of a State, and citizenship of the several States.

Citizenship of the United States is located at Section 1, Clause 1 of the Fourteenth

Amendment:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States."

Citizenship of a State is recognized at the following provisions of 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." Section 1, Clause 1 of the Fourteenth Amendment.

"The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States." Article IV, Section 2, Clause 1 of the Constitution of the United States of America.

Citizenship of the several States is designated at Article IV, Section 2, Clause 1 of the Constitution of the United States of America:

"The intention of section 2, Article IV (of the Constitution), was to confer on the ***citizens of the several States a general citizenship***." Cole v. Cunningham: 133 U.S. 107, 113 thru 114 (1890), reaffirmed, Maxwell v Dow (supra).

<http://books.google.com/books?id=oGYUAAAAYAAJ&pg=PA113#v=onepage&q=&f=false>

Thus, for a citizen of the United States:

Its privileges and immunities are located at Section 1, Clause 2 of the Fourteenth Amendment and its citizenship is located at Section 1, Clause 1 of the Fourteenth Amendment.

For a citizen of a State:

Its privileges and immunities are to be found with the individual State's constitution and laws, its citizenship is to be found with the individual State's constitution and laws and to be found at Section 1, Clause 1 of the Fourteenth Amendment and Article IV, Section 2, Clause 1 of the Constitution of the United States of America.

And for a citizen of the several States:

Its privileges and immunities are designated at Article IV, Section 2, Clause 1 of the Constitution (*Maxwell v. Dow*, 176 U.S. 581, at 592), its citizenship is designated at Article IV, Section 2, Clause 1 of the Constitution (*Cole v. Cunningham*, 133 U.S. 107, at 113 thru 114).

The privileges and immunities of a citizen of the United States arise "out of the nature and essential character of the Federal government, and granted or secured by the Constitution." Duncan v. State of Missouri: 152 U.S. 377, 382 (1894).

<http://books.google.com/books?id=ZGkUAAAAYAAJ&pg=PA382#v=onepage&q&f=false>

The privileges and immunities of a citizen of a State are to be found with the individual State's constitution and laws. (*McKane v. Durston*, supra)

The privileges and immunities of a citizen of the several States are those described in *Corfield v. Coryell* by Mr. Justice Washington:

"In the *Slaughter House Cases*, 16 Wall. 36, 76, in defining the **privileges and immunities of citizens of the several States**, this is quoted from the opinion of Mr. Justice Washington in *Corfield v. Coryell*, 4 Wash. Cir. Ct. 371, 380."
Hodges v. United States: 203 U.S. 1, at 15 (1906).

<http://books.google.com/books?id=HuEGAAAAYAAJ&pg=PA15#v=onepage&q=&f=false>

A citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, is entitled to the privileges and immunities of citizens of the several States:

"There can be no doubt that Balk, as a citizen of the State of North Carolina, had the right to sue Harris in Maryland to recover the debt which Harris owed him. Being a citizen of North Carolina, he was entitled to all the privileges and immunities of citizens of the several States, one of which is the right to institute actions in the courts of another State." Harris v. Balk: 198 U.S. 215, at 223 (1905).

<http://books.google.com/books?id=celGAAAAYAAJ&pg=PA223#v=onepage&q=&f=false>

"It has never been supposed that regulations of that character materially interfered with the enjoyment by citizens of each state of the privileges and immunities secured by the constitution to citizens of the several States. The constitution forbids only such legislation affecting citizens of the respective states as will substantially or practically put a citizen of one state in a condition of alienage when he is within or when he removes to another state, or when asserting in another state the rights that commonly appertain to those who are part of the political community known as the People of the United States, by and for whom the government of the Union was ordained and established." Blake v. McClung: 172 U.S. 239, 256 thru 257 (1898).

<http://books.google.com/books?id=G2oUAAAAYAAJ&pg=PA256#v=onepage&q&f=false>

Thus a citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, is also a citizen of the several States, under Article IV, Section 2, Clause 1 of the Constitution.

A citizen of the United States can become also a citizen of a State by residing in a State of the Union. As such a citizen of the United States, would be a citizen of the United States **AND** a citizen of a State, and this would be under Section 1 (Clause 1) of the Fourteenth Amendment:

“The question is presented in this case, whether, since the adoption of the fourteenth amendment, a woman, who is a citizen of the United States **AND** the State of Missouri, is a voter in that State, notwithstanding the provision of the constitution and laws of the State, which confine the right of suffrage to men alone. . . .

There is no doubt that women may be citizens. They are persons, and by the fourteenth amendment ‘all persons born or naturalized in the United States and subject to the jurisdiction thereof ‘ are expressly declared to be ‘citizens of the United States **AND** of the State wherein they reside.’ “ Minor v. Happersett: 88 U.S. (21 Wall.) 162, at 165 (1874).

<http://books.google.com/books?id=IEsGAAAYAAJ&pg=PA165#v=onepage&q&f=false>

“The Fourteenth Amendment declares that citizens of the United States are citizens of the state within they reside; therefore the plaintiff was at the time of making her application, a citizen of the United States **AND** a citizen of the State of Illinois.

We do not here mean to say that there may not be a temporary residence in one State, with intent to return to another, which will not create citizenship in the former. But the plaintiff states nothing to take her case out of the definition of citizenship of a State as defined by the first section of the fourteenth amendment.” Bradwell v. State of Illinois: 83 U.S. 130, at 138 (1873).

<http://books.google.com/books?id=DkgFAAAAYAAJ&pg=PA138#v=onepage&q=&f=false>

A citizen of the United States is not entitled to the privileges and immunities of a citizen of the several States, either residing in a State, or not.

If not residing in a State, a citizen of the United States is just a citizen of the United States. However Article IV, Section 2, Clause 1 of the Constitution states:

"The Citizens of each State shall be entitled to all Privileges and Immunities of

Citizens . . . of the several States." [Footnote 2]

Since a citizen of the United States is not a citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, then a citizen of the United States would not be entitled to privileges and immunities of a citizen of the several States. See Footnote 3, *Ex Parte Frank Knowles*.

If residing in a State, a citizen of the United States is under Section 1, Clause 1 of the Fourteenth Amendment, a citizen of the United States **AND** a citizen of a State. As stated in *Bradwell v. State of Illinois*, supra:

"The Fourteenth Amendment declares that citizens of the United States are citizens of the state within they reside; therefore the plaintiff was at the time of making her application, a citizen of the United States **AND** a citizen of the State of Illinois."

Also, in *Skiriotes v. State of Florida*:

"In the light of appellant's statements to the federal court, judicially recited, and upon the present record showing his long residence in Florida and the absence of a claim of any other domicile or of any foreign allegiance, we are justified in assuming that he is a citizen of the United States **AND** of Florida." *Skiriotes v. State of Florida*: 313 U.S. 69, at 72 (1941).

<http://www.loislaw.com/advsrny/doclink.htm?alais=USCASE&cite=313+U.S.+69>

And, in *Screws v. United States*:

"This case involves a shocking and revolting episode in law enforcement. Petitioner Screws was sheriff of Baker County, Georgia. He enlisted the assistance of petitioner Jones, a policeman, and petitioner Kelley, a special deputy, in arresting Robert Hall, a citizen of the United States **AND** of Georgia." *Screws v. United States*: 325 U.S. 91, at 92 (1945). [Footnote 3]

<http://www.loislaw.com/advsrny/doclink.htm?alais=USCASE&cite=325+U.S.+91>

However Article IV, Section 2, Clause 1 of the Constitution states:

"The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens . . . of the several States."

A citizen of the United States residing in a State, is under Section 1, Clause 1 of the Fourteenth Amendment, a citizen of the United States **AND** a citizen of a State. However Article IV, Section 2, Clause 1 of the Constitution provides that only a citizen of a State is entitled to privileges and immunities of a citizen of the several States. Since a

citizen of the United States, under Section 1, Clause 1 of the Fourteenth Amendment, is citizen of the United States **AND** a citizen of a State, and not a citizen of a State, then a citizen of the United States, under the Fourteenth Amendment is not entitled to privileges and immunities of a citizen **of** a several States, under Article IV, Section 2, Clause 1 of the Constitution.

A citizen of the United States is entitled to privileges and immunities of citizens **in** the several States. However, this is a privilege under Section 1, Clause 2 of the Fourteenth Amendment, and not Article IV, Section 2, Clause 1 of the Constitution:

“As applied to a citizen of another State, or to a citizen of the United States residing in another State, a state law forbidding sale of convict made goods does not violate the privileges and immunities clauses of Art. IV, Sec. 2 and the Fourteenth Amendment of the Federal Constitution if it applies also and equally to the citizens of the State that enacted it.” *Syllabus, Whitfield v. State of Ohio*: 297 U.S. 431 (1936).

“The court below proceeded upon the assumption that petitioner was a citizen of the United States; and his status in that regard is not questioned. The effect of the privileges and immunities clause of the Fourteenth Amendment, as applied to the facts of the present case, is to deny the power of Ohio to impose restraints upon citizens of the United States resident in Alabama in respect of the disposition of goods within Ohio, if like restraints are not imposed upon citizens resident in Ohio.

The effect of the similar clause found in the Fourth Article of the Constitution (section 2), as applied to these facts, would be the same, since that clause is directed against discrimination by a state in favor of its own citizens and against the citizens of other states. *Slaughterhouse Cases* (Live-Stock Dealers' & Butchers' Ass'n v. Crescent City Live-Stock Landing & Slaughter-House Co.), Fed.Cas. No. 8,408, 1 Woods 21, 28; *Bradwell v. State of Illinois*, 16 Wall. 130, 138.” *Opinion, Whitfield v. State of Ohio*: 297 U.S. 431, 437 (1936).

<http://www.loislaw.com/advsrny/doclink.htm?alais=USCASE&cite=297+U.S.+431>

A citizen of the several States is not entitled to the privileges and immunities of a citizen of the United States. Privileges and immunities of a citizen of the United States can only be obtained by being born in the United States, or by being naturalized in the United States.

Since a citizen of the United States is not entitled to privileges and immunities of a citizen of the several States, and a citizen of the several States is not entitled to

privileges and immunities of a citizen of the United States, then a citizen of the United States is only entitled to privileges and immunities of a citizen of a State (Section 1, Clause 1 of the Fourteenth Amendment) and a citizen of a State is only entitled to privileges and immunities of a citizen of the several States (Article IV, Section 2, Clause 1 of the Constitution).

So there is a citizen of the United States **AND** a citizen of a State, under Section 1, Clause 1 of the Fourteenth Amendment, and there is a citizen of a State **AS WELL AS** **[Footnote 4]** a citizen of the several States, under Article IV, Section 2, Clause 1 of the Constitution.

Therefore, at the State level, there are two state citizens: one who has privileges and immunities of a citizen of the United States (Section 1, Clause 2 of the Fourteenth Amendment) and one who has privileges and immunities of a citizen of the several States (Article IV, Section 2, Clause 1 of the Constitution):

“Because the ordinance and specifications, under which the paving in this case was done, require the contractor to employ only bona fide resident citizens of the city of New Orleans as laborers on the work, it is contended, on behalf on the plaintiff in error, that thereby ***citizens of the State of Louisiana, and of each and every State and the inhabitants thereof, are deprived of their privileges and immunities under article 4, sec. 2, and under the Fourteenth Amendment to the Constitution of the United States.*** It is said that such an ordinance deprives every person, not a bona fide resident of the city of New Orleans, of the right to labor on the contemplated improvements, and also is prejudicial to the property owners, because, by restricting the number of workmen, the price of the work is increased.

Such questions are of the gravest possible importance, and, if and when actually presented, would demand most careful consideration; but we are not now called upon to determine them.

In so far as the provisions of the city ordinance may be claimed to affect the rights and privileges of citizens of Louisiana and of the other States, the plaintiff in error is in no position to raise the question. It is not alleged, nor does it appear, that he is one of the laborers excluded by the ordinance from employment, or that he occupies any representative relation to them. Apparently he is one of the preferred class of resident citizens of the city of New Orleans.” Chadwick v. Kelley: 187 U.S. 540, at 546 (1903).

<http://books.google.com/books?id=bdkGAAAYAAJ&pg=PA546#v=onepage&q=&f=false>

And there are two citizens under the Constitution of the United States of America,

both of whom have privileges and immunities of a citizen of a State. They are a citizen of the United States, under Section 1, Clause 1 of the Fourteenth Amendment, and, a citizen of the several States, under Article IV, Section 2, Clause 1 of the Constitution:

“The first question presented for adjudication is: Admitting the tax to be unequal, is the ordinance providing for its levy and enforcement in violation of the 1st section of the 14th amendment to the constitution of the United States, especially the last clause of the section? The section reads as follows: ‘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 privilege 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.

The complainant, to be entitled to the protection of this constitutional provision, must be either a citizen of the United States or a person in the sense in which that term is used in this section.

It has been repeatedly held, by the supreme court of the United States, that corporations were not citizens of the several states in such sense as to bring them within the protection of that clause in the constitution of the United States (section 2, article IV), which declares that ‘the citizens of each state shall be entitled to all the privileges and immunities of citizens OF the several states;’ *Bank of Augusta v. Earle*, 13 Peters, 586; *Paul v. Virginia*, 8 Wallace, 177. [\[Footnote 5\]](#)

Are corporations citizens of the United States within the meaning of the constitutional provision now under consideration? It is claimed in argument that, before the adoption of the 14th amendment, to be a citizen of the United States, it was necessary to become a citizen of one of the states, but that since the 14th amendment this is reversed, and that citizenship in a state is the result and consequence of the condition of citizenship of the United States.

Admitting this view to be correct, we do not see its bearing upon the question in issue. Who are citizens of the United States, within the meaning of the 14th amendment, we think is clearly settled by the terms of the amendment itself. ‘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 words could make it clearer that citizens of the United States, within the meaning of this article, must be natural, and not artificial persons; for a corporation cannot be said to be born, nor can it be naturalized. I am clear, therefore, that a corporate body is not a citizen of the United States as that term is used in the 14th amendment.” *The Insurance Company v. The City of New*

Orleans: 1 5th. Jud. Cir. 85, at 86 thru 88 (1870).

<http://books.google.com/books?id=jjW3AAAAIAAJ&pg=PA86#v=onepage&q&f=false>

Therefore, there are two citizens in the nation of the United States. The one is a citizen of the United States. This citizen is recognized in Section 1 of the Fourteenth Amendment to the Constitution of the United States of America. The other is a citizen of the several States. This citizen is to be found at Article IV, Section 2, Clause 1 of the Constitution of the United States of America.

Footnotes:

1. "The Government of the United States: National, State, and Local"; William Bennett Munro, Ph.D., LL.B.; (The MacMillan Company); 1922; Copyright, 1919.

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2. A citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, since the adoption of the Fourteenth Amendment and the *Slaughterhouse Cases*, is entitled to privileges and immunities of citizens **in** the several States **AND** entitled to privileges and immunities of citizens **of** the several States. Privileges and immunities of citizens in the several States are still common privileges and immunities. (*Paul v. State of Virginia*, 75 U.S. 168) Privileges and immunities of citizens of the several States are fundamental privileges and immunities. (*Corfield v. Coryell*, 4 Wash. Cir. Ct. 371) .

Refer to my work "Shall be entitled to all Privileges and Immunities of Citizens IN and OF the several States" for legal authority.

3.. The word "and" is emphasized in the phrase *citizen of the United States AND citizen of a State* because the United States government and an individual state government are separate and distinct sovereignties.

Congress (or the United States government) under the Constitution of the United States of America is one of enumerated powers. A State of the Union is not the same as the District of Columbia, or the territories and possessions of the United States

government:

“Special provision is made in the constitution, for the cession of jurisdiction from the states over places where the federal government shall establish forts, or other military works. And it is only in these places, or in the territories of the United States, where it can exercise a **general jurisdiction**.” New Orleans v. United States: 35 U.S. 662, at 737 (1836).

<http://books.google.com/books?id=nEcFAAAAYAAJ&pg=PA737#v=onepage&q&f=false>

And:

“The general government, and the States, although both exist within the same territorial limits, **are separate and distinct sovereignties**, acting separately and independently of each other, within their respective spheres. The former in its appropriate sphere is supreme; but the States within the limits of their powers not granted, or, in the language of the tenth amendment, ‘reserved,’ are as independent of the general government as that government within its sphere is independent of the States.” Collector v. Day: 78 U.S. (Wall. 11) 113, at 124 (1870).

<http://books.google.com/books?id=zMEGAAAAYAAJ&pg=PA124#v=onepage&q&f=false>

Did the Fourteenth Amendment changed this? No:

"Notwithstanding the adoption of these three Amendments (the Thirteenth, Fourteenth, and Fifteenth Amendments), the National Government still remains one of enumerated powers, and the Tenth Amendment, which reads, 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people,' is not shorn of its vitality." Hodges v. United States: 203 U.S. 1, at 16 (1906).

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So:

“Upon the admission of a State into the Union, the State doubtless acquires **general jurisdiction**, civil and criminal, for the preservation of public order, and the protection of persons and property, throughout its limits, except where it has ceded **exclusive jurisdiction** to the United States. *New Orleans v. United States*, 35 U.S. (10 Pet.) 662, 737; 9 L.Ed. 573, 602 (other citations omitted)”
Van Brocklin v. State of Tennessee: 117 U.S. 151, 167-168 (1886).

<http://books.google.com/books?id=ldcGAAAAYAAJ&pg=PA167#v=onepage&q&f=false>

And:

“We conclude, however, that no such hearing is required in this case. We are of the view that the ‘equal footing’ clause of the Joint Resolution admitting Texas to the Union disposes of the present phase of the controversy.

The ‘equal footing’ clause has long been held to refer to political rights and to sovereignty. See *Stearns v. Minnesota*, 179 U. S. 223, 245. It does not, of course, include economic stature or standing. There has never been equality among the States in that sense. Some States, when they entered the Union, had within their boundaries tracts of land belonging to the Federal Government; others were sovereigns of their soil. Some had special agreements with the Federal Government governing property within their borders. See *Stearns v. Minnesota*, supra, pp. 179 U. S. 243-245. Area, location, geology, and latitude have created great diversity in the economic aspects of the several States. The requirement of equal footing was designed not to wipe out those diversities, but to create parity as respects political standing and **sovereignty**.” *United States v. State of Texas*: 339 U.S. 707, at 715 thru 716 (1950).

<http://www.loislaw.com/advsrny/doclink.htm?alais=USCASE&cite=339+U.S.+707>

Also:

“If the United States may control the conduct of its citizens upon the high seas, we see no reason why the State of Florida may not likewise govern the conduct of its citizens upon the high seas with respect to matters in which the State has a legitimate interest and where there is no conflict with acts of Congress. Save for the powers committed by the Constitution to the Union, **the State of Florida has retained the status of a sovereign**. Florida was admitted to the Union ‘on equal footing with the original States, in all respects whatsoever.’ And the power given to Congress by §3 of Article IV of the Constitution to admit new States relates only to such States as are equal to each other ‘in power, dignity, and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself.” *Skiriotes v. State of Florida*: 313 U.S. 69, at 77 (1941).

<http://www.loislaw.com/advsrny/doclink.htm?alais=USCASE&cite=313+U.S.+69>

To this:

“ . . . [W]hen a new State is admitted into the Union, it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original States.” *Coyle v. State of Oklahoma*: 221 U.S. 559, at 573 (1911).

<http://www.loislaw.com/advsrny/doclink.htm?alias=USCASE&cite=221+U.S.+559>

So a State of the Union, unlike the District of Columbia, or the territories and possessions of the United States government, is a sovereign, separate and distinct from the United States.

As such, the United States government and an individual State government would have its own citizens:

“We have in our political system a government of the United States and a government of each of the several States. Each one of these governments is distinct from the others, **and each has citizens of its own** who owe it allegiance, and whose rights, within its jurisdiction, it must protect.” Cruishank v. United States: 92 U.S. 542, at 549 (1875).

<http://books.google.com/books?id=PGwUAAAAYAAJ&pg=RA2-PA549#v=onepage&q&f=false>

“. . . As in case of the authority of the United States over its absent citizens (*Blackmer v. United States*, 284 U.S. 421), the authority of a State over one of its citizens is not terminated by the mere fact of his absence from the state.” Milliken v. Meyer: 311 U.S. 457, at 463 (1940).

<http://www.loislaw.com/advsrny/doclink.htm?alais=USCASE&cite=311+U.S.+457>

“If the United States may control the conduct of its citizens upon the high seas, we see no reason why the State of Florida may not likewise govern the conduct of its citizens upon the high seas with respect to matters in which the State has a legitimate interest and where there is no conflict with acts of Congress. . . .

. . . When its action does not conflict with federal legislation, the sovereign authority of the State over the conduct of its citizens upon the high seas is analogous to the sovereign authority of the United States over its citizens in like circumstances.” Skiriotes v. State of Florida: 313 U.S. 69, at 77, 78 thru 79 (1941).

<http://www.loislaw.com/advsrny/doclink.htm?alais=USCASE&cite=313+U.S.+69>

The only way a citizen of the United States could become a citizen of a State also, in the several States, is through an amendment to the Constitution of the United States of America:

“Consequently, one who is created a citizen of the United States, is certainly not made a citizen of any particular State. It follows, that as it is only the citizens of the State who are entitled to all privileges and immunities of citizens **OF** the several States, . . . , then a **distinction both in name and privileges** is made to exist between citizens of the United States, ex vi termini, and citizens **OF** the respective (several) States. . . . I cannot concede that such a result was ever contemplated, and yet it would be inevitable **upon any other hypothesis**.” Ex

parte Frank Knowles: 5 Cal. 300, at 304 (1855).

<http://books.google.com/books?id=0p4WAQAAIAAJ&pg=PA304#v=onepage&q&f=false>

Otherwise, each State of the Union would have to provide for such in its laws or constitutions. Which could mean (up to) 50 different statutes or provisions in their constitutions.

Without an amendment to the Constitution of the United States of America or a statute or provision in the constitution of each individual State, a citizen of the United States would be an alien in a State of the Union.

Thus, a citizen of the United States, under Section 1 of the Fourteenth Amendment, can become also a citizen of a State, by residing in a State of the Union. As such a citizen of the United States would be a citizen of the United States **AND** a citizen of a State, owing allegiance to both the United States government **AND** the individual State government:

“ . . . The same person may be at the same time a citizen of the United States AND a citizen of a State, but his rights of citizenship under one of these governments will be different from those he has under the other. . . .

“The [citizens] of the United States resident within any State are subject to two governments: one State, and the other National. . . . It is the natural consequence of [such] citizenship which owes allegiance to two sovereignties and claims protection from both. The citizen (of the United States) cannot complain, because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction.” Cruishank v. United States: 92 U.S. 542, at 549, 550 thru 551 (1875).

<http://books.google.com/books?id=PGwUAAAAYAAJ&pg=RA2-PA549#v=onepage&q&f=false>

4. The phrase “as well as” is emphasized in the term “citizen of a State **AS WELL AS** a citizen of the several States” to show that Article IV, Section 2, Clause 1 of the Constitution now treats the several States as one sovereignty as well as individual sovereignties for purposes of citizenship and international law.

Before the adoption of the Fourteenth Amendment, a citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution of the United States of America was considered a citizen of the United States; that is, a citizen of a State **AS WELL AS** a citizen of the United States:

“This cause has been heard on demurrer to the bill, which alleges, in

substance, that the defendant was born prior to April 6, 1841, at Fishmoyne, in the parish of Down and Inch, and county of Tipperary, Ireland, and was an alien; that he remained there till 18(6)2, when he came to this country, and arrived at New York about May 13th of that year, when over 18 and about 20 years old (Note: 1841 + 20 = 1861, thus 1862, not 1882); that on October 22, 1867, without having made any declaration of intention to become a citizen of the United States, he presented a petition for naturalization to the superior court of the city of New York, . . . that thereupon the required oaths were taken, and a certificate in due form was issued. . . .

. . . But, whatever the fact was, the administration of the oaths and issuing of the certificate showed the satisfaction of the court as to the requirements, constituting a judgment of admission to citizenship, with the force of such a judgment upon the status of the applicant. . . .

The defendant became a citizen of the state of New York, **AS WELL AS** of the United States.” United States v. Gleason: 78 F. Rep. 396 (1897).

<http://books.google.com/books?id=1ZoKAAAYAAJ&pg=RA1-PA396#v=onepage&q=&f=false>

(Note: the Fourteenth Amendment was proclaimed in effect on July 28, 1868.)

After the ratification of the Fourteenth Amendment; in the *Slaughterhouse Cases*, it was held that citizenship of a State was separate and distinct from citizenship of the United States. That a citizen of a State was separate and distinct from a citizen of the United States.

A citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution of the United States of America, is now, after the adoption of the Fourteenth Amendment, entitled to privileges and immunities of citizens of the several States, under Article IV, Section 2, Clause 1 of the Constitution. As such, a citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, is now also a citizen of the several States, under Article IV, Section 2, Clause 1 of the Constitution; that is, a citizen of a State **AS WELL AS** a citizen of the several States.

“In speaking of the meaning of the phrase ‘privileges and immunities of citizens of the several States’ under section second, article fourth, of the Constitution, it was said by the present Chief Justice, in *Cole v. Cunningham*, 133 U.S. 107, that the intention was ‘to confer on the **citizens of the several States a general citizenship**, and to communicate all the privileges and immunities which the citizens of the same State would be entitled to under the

like circumstances, and this includes the right to institute actions.’ “ Maxwell v. Dow: 176 U.S. 581, at 592 (1900).

<http://books.google.com/books?id=8toGAAAAYAAJ&pg=PA592#v=onepage&q&f=false>

A citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution of the United States of America, as a citizen of the several States, is a citizen of all the States, generally. A citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution, is a citizen of the several States when abroad. (Refer to my work, “A citizen of a State is a citizen of the several States when abroad”, for legal authority.

Therefore, international law applies to a citizen of the United States, under Section 1 of the Fourteenth Amendment, and also to a citizen of the several States, under Article IV, Section 2, Clause 1 of the Constitution. Thus, under international law, in the nation of the United States there are two citizens; a citizen of the United States and a citizen of the several States.

5. “But in no case which has come under our observation, either in the State or Federal courts, has a corporation been considered a citizen within the meaning of that provision of the Constitution which declares that the citizens of each State shall be entitled to all the privileges and immunities of citizens OF the several States.” Paul v. State of Virginia: 75 U.S. 168, 178 (1868).

<http://books.google.com/books?id=-bwGAAAAYAAJ&pg=PA178#v=onepage&q=&f=false>

Further readings (online), mine

- 1.** “See for yourself, A citizen of a State, under Article IV, Section 2, Clause 1 of the Constitution”, Dan Goodman, 2012.
- 2.** ”Shall be entitled to all Privileges and Immunities of citizens IN and OF the several States”. Dan Goodman, 2010.
- 3.** “A Citizen of a State is a Citizen of the several States when abroad”, Dan Goodman, 2012.