

★ READ IT. ★

14<sup>TH</sup>  
AMENDMENT

THE CORNERSTONE  
OF OUR FREEDOM.  
THE PROOF OF  
OUR RIGHTS.

BRIGHTLIGHT  
CITIZENSHIP

BORN FREE.  
ALWAYS FREE.  
RIGHT BY LAW.

★ THE ★  
**PRIMARY  
BENEFICIARIES  
DOCTRINE**  
★ THE ★  
**SMOKING GUN**

**EXHIBIT A:**

The President  
**ANDREW JOHNSON**  
**VETO LETTER**  
of the  
**1866 CIVIL RIGHTS ACT**  
of  
**FEDERAL CITIZENSHIP**  
to  
**CHattel SLAVES**  
and Their Descendants,  
i.e., **FREEDMEN.**

*Andrew Johnson*

RESTORING  
THE ORIGINAL  
PROMISE  
- OF THE -  
**14<sup>TH</sup>**  
AMENDMENT

THE **CIVIL RIGHTS ACT**  
OF 1866

THE FOUNDATIONAL ACT OF FEDERAL CITIZENSHIP

**THE CIVIL RIGHTS ACT OF 1866**

THE TRUTH THEY REWROTE. THE FREEDOM THEY DENIED. THE EVIDENCE THEY CAN'T REFUTE.

★  
**TED HAYES**

— aka "MR. CITIZEN PATRIOT" —  
★

**THE  
PRIMARY BENEFICIARIES DOCTRINE  
THE SMOKING GUN: EXHIBIT A**

**1865 US President, Andrew Johnson's Veto Letter**

*A Declaratory Treatise on  
the Constitutional Identity of America's First  
and Re-Claimed Exclusive Federal Citizens*

*Tracing the Original Inheritance,  
Dispossession, and Legal Re-Assertion of Citizenship  
Under the Civil Rights Act of 1866*

**Ted Hayes**  
*aka Mr. Citizen Patriot*

**Guardian of the Republic**

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Author: Ted Hayes, aka Mr. Patriot

Title: *A Declaratory Treatise on the Constitutional Identity of America's First—and Re-Claimed Exclusive—Federal Citizens: Tracing the Original Inheritance, Dispossession, and Legal Re-Assertion of Citizenship Under the Civil Rights Act of 1866*

This work is a legal-historical and civic argument intended for public discussion, education, and scholarly consideration.

# DEDICATION

To my family, Hayes–Powell, et al,

To the 740,000 young, innocent white boys and men,  
and the 38,000 AMERICAN Africans—  
including Abraham Lincoln—  
who perished in the Civil War over the matters of  
generations-destroying American (British/USA) chattel  
slavery, the worst form of human trafficking in world  
history.

All the patriot, Civil Rights voices before mine dating from  
the era of Martin Luther King/Malcolm X, to that of  
Frederick Douglass, Harriet Tubman, President Abraham  
Lincoln, et al

Most importantly, to GOD,  
the Central Figure of the United States Declaration of  
Independence,  
and therefore of this Union Republic Nation under HIM.

## **PREFATORY NOTE**

### **THE HAYES CLAUSE (Disclaimer & Declaration)**

**I am not against anyone. I for my beloved fellow American African, chattel descendant, Jim Crowed, US, Federal Citizens (FedCitz) and wonderful nation under GOD, Union Republic of the United States of America.**

This work is solely the expression of my own convictions, judgments, research, interpretations, and protected constitutional speech. It is not written in the official name of, nor as the authorized voice of, any government, people, race, church, synagogue, mosque, nation, movement, or organization, except where expressly quoted or cited. Responsibility for the contents rests with me alone.

I write as an American citizen exercising the liberties of conscience, speech, faith, inquiry, and petition, and as one who understands himself to stand within the long moral, historical, and constitutional struggle surrounding the meaning of citizenship, justice, law, covenant, and national repentance in the United States. My arguments, doctrines, and interpretations are offered for serious consideration, examination, and lawful public discourse.

In speaking of Jews, Israel, Christians, Muslims, Arabs, Africans, Europeans, and other peoples and traditions, I do not speak to condemn whole peoples, but to call attention to matters of history, theology, law, kinship, conflict, covenant, responsibility, and reconciliation as I understand them. I acknowledge that the children of Abraham have traveled through different historical and spiritual paths, and that Isaac and Jacob, as well as Ishmael and Esau, remain part of the human family and the wider story of God and nations.

Where this book makes strong claims, doctrinal distinctions, or historical judgments, it does so in the service of truth-seeking, moral witness, civic argument, and spiritual accountability as I understand those duties before God and man. Readers are therefore asked to receive this work in that spirit: not as an official decree, but as a serious offering of conscience.

— **Ted Hayes**

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## PREFACE

There are moments in the life of a nation when the forward movement of time is interrupted by the quiet return of unfinished questions. In such moments, what appears settled reveals itself to be unresolved, and what was once clearly spoken must be spoken again—this time with greater precision, greater memory, and greater responsibility.

This Treatise arises from such a moment.

At issue is not a question of policy or preference, but of constitutional identity: who was first named, defined, and first recognized within the framework of federal citizenship in the United States. The answer to that is neither abstract nor theoretical. It is found in statute, in history, and in the lived experience of a people whose legal existence had to be declared before it could be acknowledged.

The Civil Rights Act of 1866 stands as the first clear federal articulation of citizenship. It did not emerge in a neutral environment, nor was it designed for a general audience. It was enacted in direct response to a specific condition of a people who had been held outside the law and who, by that Act, were brought within it as citizens.

This fact is foundational.

And yet, over time, the clarity of that foundation has been diminished. Through constitutional expansion, political reinterpretation, and the natural drift of public memory, the specific identity of those first beneficiaries has been absorbed into a broader and more generalized understanding of citizenship. What was once distinct has become diffuse. What was once anchored has become, unmoored.

This Treatise does not seek to reverse history, nor to deny the development of law. It seeks, rather, to restore precision where generalization has taken hold. It proceeds from a simple but consequential premise: that the original beneficiaries of a statute retain interpretive significance, and that their identification is essential to any faithful reading of the law from which their status arose.

From this premise emerges the **Primary Beneficiaries Doctrine**, the recognition that the origin of a law is not incidental to its meaning, but central to it.

The argument that follows is therefore not an act of exclusion, but of clarification. It does not propose the creation of a new class, but the re-identification of an

original one. It seeks to bring the nation into closer alignment with its own legal foundations. At the same time, this work is not written from a position of detachment.

It is written by one whose life is directly connected to the history in question. It is written with an awareness that law, while expressed in language, is lived in consequence. And it is written in the conviction that truth—legal, historical, and moral—must ultimately be faced, not avoided.

There is also an acknowledgment of a higher order.

The American experiment, from its earliest 1776, expressions, has not been framed solely in terms of governance, but in reference to a moral authority beyond it. The language of rights, equality, and justice has consistently drawn upon that higher source, whether explicitly named or implicitly understood. In that tradition, the pursuit of clarity in law is not separate from the pursuit of truth itself.

GOD is not the author of confusion. Where confusion exists, it is the task of those who see it to bring forward clarity—not with hostility, but with conviction.

This Treatise is offered in that spirit.

It is offered to scholars, to policymakers, to courts, and to citizens—not as a final word, but as a necessary one. It invites examination, response, and, where warranted, correction. But above all, it invites a return to the question that stands at its center:

What was originally established—and what does it mean now to re-claim it?

Shalom. Peace.

—Ted Hayes

Mr. Citizen Patriot

## INTRODUCTION

The question of citizenship in the United States has never been merely administrative. It has always been bound up with the deeper question of who is recognized as fully belonging within the legal and moral structure of the nation.

Before the end of the Civil War, that question had a brutal and definitive answer for one class of people. Those of African descent, held in chattel slavery, were not regarded as citizens under the law. Their presence was acknowledged, their labor extracted, their humanity contested—but their legal identity, as members of the political community, was denied. This condition was not incidental. It was enforced through legal doctrine, affirmed by judicial authority, and embedded within the structure of the nation itself.

The aftermath of the Civil War did not simply present an opportunity for policy adjustment; it presented a constitutional crisis. A nation that had been divided over the question of human bondage was now required to determine, in precise legal terms, the status of those who had been freed. Freedom alone was insufficient. Without recognition as

citizens, the formerly enslaved would remain vulnerable to systems of control that could replicate, in substance if not in name, the conditions from which they had just emerged.

It was in this context that Congress enacted the Civil Rights Act of 1866.

This Act marked the first explicit federal definition of citizenship in the history of the United States. Its language was clear and direct: all persons born in the United States and not subject to any foreign power were declared to be citizens. While framed in general terms, the purpose of the Act was unmistakable. It was designed to secure, at the federal level, the legal status of those who had been denied it—specifically, the formerly enslaved population.

In doing so, the Act accomplished something foundational. It did not merely extend recognition; it established a federal standard. It identified a class of persons and brought them, definitively and affirmatively, within the legal identity of the nation.

This moment matters.

It matters because it represents the point at which federal citizenship was not assumed, but declared. It matters because

it identifies the original beneficiaries of that declaration. And it matters because it provides the starting point for any serious inquiry into the meaning of citizenship under federal law.

The subsequent adoption of the Fourteenth Amendment carried this principle into the Constitution itself, ensuring that birthright citizenship would be recognized at the highest legal level. Yet in doing so, it also contributed to a broader and more generalized understanding of citizenship—one that, over time, would come to obscure the specific historical and statutory context from which the concept first emerged.

As citizenship became more widely applied, its original point of reference became less frequently examined. The identity of the first federally recognized citizens, and the circumstances under which that recognition was granted, receded into the background of legal and public discourse. What remained was a generalized principle, often discussed without reference to its origin.

This Treatise begins from the proposition that such an omission is consequential.

Law does not exist in abstraction. It is created in response to conditions, applied to specific circumstances, and interpreted through the lens of its origins. When those origins are forgotten or disregarded, interpretation risks becoming detached from intent.

Accordingly, this work proceeds with a focused inquiry: to identify the original class of federal citizens as recognized by statute, to examine how that identity has been treated in subsequent legal developments, and to consider what it means, in the present moment, to reassert that original framework.

This is not an argument against the existence or legitimacy of other forms of citizenship. It is an argument for precision—an effort to distinguish where distinction once existed, and to restore clarity where generalization has taken hold.

The chapters that follow develop this argument in a structured manner. They examine the statutory foundation of citizenship, introduce the concept of the Primary Beneficiaries Doctrine, trace the process by which the original identity was diluted, and present a declaratory claim concerning its continued legal significance.

The purpose is not to conclude the discussion, but to properly begin it.

**PART I**

**THE ORIGINAL FEDERAL CLAIM**

# Chapter 1

## The First Federal Definition of Citizenship

### I. Constitutional Silence and Pre-1866 Ambiguity

The question of citizenship in the United States, prior to the enactment of federal civil rights legislation, existed in a state of constitutional ambiguity. While the Constitution established the framework of national governance, it did not, in its original form, provide a comprehensive definition of citizenship applicable to all persons within the jurisdiction of the United States. Citizenship was instead understood through a combination of state practice, common law principles, and limited federal references, none of which resolved the status of those persons historically excluded from legal recognition.

### II. Judicial Exclusion as Governing Doctrine

That exclusion was most definitively expressed in *Dred Scott v. Sandford*, wherein the Supreme Court held that persons of African descent, whether enslaved or free, were not included within the political community contemplated by the Constitution. This holding constituted a formal

judicial denial of citizenship to an entire class of persons and established a governing doctrine of exclusion at the federal level.

### **III. Post-War Necessity and Federal Intervention**

The conclusion of the Civil War rendered that framework untenable. With the abolition of slavery, the legal system was confronted with the immediate question of the status of the newly freed population. The absence of a defined legal status created the risk of reconstituted subordination through state action. Accordingly, the matter required federal intervention to establish a uniform and authoritative definition.

### **IV. Statutory Declaration of Citizenship**

Congress addressed this necessity through the enactment of the Civil Rights Act of 1866.

The operative provision states:

“All persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States.”

This language constitutes the first explicit statutory definition of national citizenship enacted by the federal government. The phrase “are hereby declared” reflects an exercise of legislative authority to define legal status affirmatively.

## **V. Structural Elements of the Definition**

The statute establishes two criteria for citizenship: birth within the United States and the absence of subjection to any foreign power. These criteria are general in form but specific in application. They address a population whose presence within the nation was undisputed but whose legal recognition had been denied.

The exclusion of “Indians not taxed” further reflects the targeted scope of the Act, demonstrating that Congress was not attempting to produce a universal definition, but to resolve a specific legal deficiency.

## **VI. Legislative Intent and Identifiable Beneficiaries**

The legislative history of the Act confirms that the statute was enacted with particular reference to the formerly enslaved population. Congressional debates consistently identified freedmen as the central subjects of the legislation.

The statute therefore reflects both a general legal formulation and a specific historical application.

## **VII. Relationship to the Fourteenth Amendment**

The subsequent adoption of the Fourteenth Amendment incorporated a similar formulation into the Constitution. While often treated as the primary source of birthright citizenship, the Amendment reflects a constitutionalization of the principle first articulated in the 1866 Act.

## **VIII. Foundational Significance of the 1866 Act**

The Civil Rights Act of 1866 establishes the first federal definition of citizenship, identifies the class of persons for whom that definition was necessary, and situates the authority to define citizenship within Congress. Accordingly, it serves as the proper starting point for any analysis of federal citizenship grounded in original statutory meaning.

## Chapter 2

### The Class for Whom the Act Was Made

#### I. Statutory Universality and Interpretive Limitation

The language of the Civil Rights Act of 1866 is framed in universal terms, declaring that “all persons born in the United States and not subject to any foreign power” are citizens. However, the use of general language does not eliminate the necessity of identifying the specific conditions that gave rise to the statute. Under established principles of statutory interpretation, the scope of a provision must be understood in light of its purpose and the problem it was enacted to address.

#### II. The Governing Condition: Legal Non-Recognition

At the time of enactment, a defined class of persons—those of African descent formerly held in chattel slavery—existed within the territorial jurisdiction of the United States but had been denied recognition as citizens under prevailing legal doctrine. This condition had been formally articulated in *Dred Scott v. Sandford* and remained operative until displaced by federal action.

The Civil Rights Act of 1866 was enacted to resolve this condition. Accordingly, the statute must be understood as addressing a population whose legal status required affirmative definition.

### **III. Legislative Identification of the Relevant Class**

Congressional debates surrounding the Act repeatedly and explicitly referenced the freedmen as the subjects of the legislation. Statements by members of Congress confirm that the statute was intended to secure citizenship for those who had been previously excluded from the political community.

This identification is not incidental. Where legislative intent is clearly expressed and consistently directed toward a particular class, that class constitutes the primary referent for interpretation.

### **IV. The Principle of Primary Beneficiaries**

From these premises arises the principle that the original beneficiaries of a statute define its interpretive center. This principle does not operate to exclude others who may fall within the general language of the statute. Rather, it

establishes that the meaning and application of the statute must be anchored in the circumstances of its enactment.

In the present case, the formerly enslaved population constitutes the identifiable class for whom federal citizenship was first affirmatively declared.

## **V. Distinction Between Inclusion and Origin**

The extension of citizenship to additional persons through subsequent legal developments does not alter the identity of the original beneficiaries. Inclusion through later interpretation or constitutional expansion is distinct from origin. The latter defines the initial scope and purpose of the statute, while the former reflects subsequent application.

Failure to maintain this distinction risks conflating the foundational meaning of the statute with later developments that were neither contemplated nor required at the time of enactment.

## **VI. Legal Consequence of Misidentification**

If the original beneficiary class is not properly identified, interpretation of the statute becomes detached from its historical and legal foundation. Such detachment introduces

ambiguity into the application of the law and undermines the coherence of its development.

Accordingly, accurate identification of the class for whom the statute was enacted is not merely descriptive, but necessary for faithful legal analysis.

## **VII. Conclusion**

The Civil Rights Act of 1866 must be interpreted with reference to the specific class of persons whose legal status it was designed to establish. That class—formerly enslaved persons of African descent—constitutes the original and primary beneficiary group of the statute. Recognition of this fact provides the necessary foundation for subsequent analysis of citizenship under federal law.

## **Chapter 3**

# **The Meaning of “Not Subject to Any Foreign Power”**

### **I. Textual Centrality of the Phrase**

The phrase “not subject to any foreign power,” as set forth in the Civil Rights Act of 1866, constitutes a limiting condition within the statutory definition of citizenship. It does not operate as surplusage. Rather, it defines the boundary of the class to whom the declaration of citizenship applies.

Accordingly, the phrase must be given operative effect. Its meaning is central to determining both the scope of the statute and the identity of the persons encompassed within it.

### **II. Meaning of “Subject to” in Legal Context**

At the time of enactment, the term “subject to” carried a well-established legal meaning, referring to political allegiance or subordination to sovereign authority. To be “subject to” a foreign power was to owe legal obedience to

that power, whether by birth, status, or recognized jurisdiction.

Conversely, to be “not subject to any foreign power” was to exist outside such allegiance. It described a condition in which no competing sovereign authority could assert a legal claim over the individual.

This distinction reflects a core principle of political identity: that citizenship is grounded in exclusive allegiance.

### **III. Application to the Post-War Population**

In the immediate post-Civil War context, the population of formerly enslaved persons satisfied this condition in a unique and definitive manner. Having been forcibly brought into the United States and held within its jurisdiction, they possessed no recognized legal allegiance to any foreign sovereign.

Unlike immigrants, who entered the United States with preexisting ties to another nation, the formerly enslaved population did not stand in a legal relationship of subjection to any foreign power at the time of the Act’s passage. Their status was entirely contained within the jurisdiction of the United States.

Thus, the statutory condition operated not merely as a general qualifier, but as a defining characteristic of the class for whom the Act was enacted.

#### **IV. Distinction from Foreign Allegiance at Birth**

The condition of not being subject to a foreign power at birth distinguishes the original beneficiary class from those whose status is derived from foreign parentage or national affiliation. In such cases, the question of allegiance may involve competing claims, requiring legal mechanisms—such as naturalization or constitutional interpretation—to resolve.

The statute, however, does not address such complexities. It establishes a category of persons for whom no such conflict exists. The absence of foreign subjection is not presumed; it is integral to the statutory definition.

#### **V. Relationship to the Jurisdiction Clause of the Fourteenth Amendment**

The subsequent formulation in the Fourteenth Amendment—“subject to the jurisdiction thereof”—echoes, but does not identically replicate, the language of the 1866

Act. While often treated as synonymous, the two formulations reflect distinct legal emphases.

The statutory phrase focuses on the absence of foreign subjection, while the constitutional phrase emphasizes the presence of domestic jurisdiction. The former defines exclusion from external authority; the latter affirms inclusion within national authority.

This distinction is not merely semantic. It reflects a shift from a targeted statutory condition to a broader constitutional standard, thereby contributing to the generalization of citizenship over time.

## **VI. Doctrinal Implications for Interpretation**

If the phrase “not subject to any foreign power” is given full interpretive weight, it supports the identification of a class of persons whose citizenship arises from a condition of exclusive national allegiance at the time of the Act’s enactment.

This condition, as applied to the formerly enslaved population, is not incidental but defining. It establishes a baseline from which subsequent interpretations must proceed.

To disregard this condition, or to treat it as functionally equivalent to later formulations, is to collapse the distinction between origin and expansion. Such a collapse obscures the specific legal context in which the original definition of citizenship was created.

## **VII. Doctrinal Expansion: From Condition to Identity**

From the foregoing analysis emerges a broader doctrinal implication. The condition of not being subject to a foreign power may be understood not only as a threshold requirement, but as an identifying characteristic of the original federal citizen class.

In this sense, the statutory language does more than define eligibility; it reflects a particular relationship between the individual and the nation—one grounded in exclusive jurisdiction and unshared allegiance.

This relationship, once established, forms part of the legal identity of the class itself. It is not erased by subsequent developments, but persists as a foundational element of interpretation.

## **VIII. Conclusion**

The phrase “not subject to any foreign power” must be interpreted as a substantive limitation within the Civil Rights Act of 1866. Its meaning is rooted in the concept of exclusive allegiance and its application is most clearly realized in the condition of the population for whom the Act was enacted.

Recognition of this condition provides a necessary component for identifying the original federal citizen class and for distinguishing that class within the broader framework of citizenship that developed thereafter.

**PART II**

**THE CONSTITUTIONAL TRANSFER  
AND ITS CONSEQUENCES**

## **Chapter 4**

### **Civil Rights Act 1866 and the Fourteenth Amendment**

#### **I. Sequential Relationship Between Statute and Amendment**

The Civil Rights Act of 1866 and the Fourteenth Amendment are often treated as parallel or interchangeable sources of citizenship. However, their relationship is sequential, not duplicative.

The statute precedes the Amendment. It establishes, in explicit terms, the first federal definition of citizenship. The Amendment follows, incorporating a related principle into the Constitution itself. Accordingly, the Amendment must be understood, at least in part, as a response to and reinforcement of the statutory framework already in place.

This sequence is critical. It establishes that the statutory definition is not derivative of the Amendment, but antecedent to it.

## **II. Congressional Purpose in Constitutionalizing the Definition**

The enactment of the Civil Rights Act of 1866 occurred in a context of political and constitutional uncertainty. While Congress asserted its authority to define citizenship through legislation, questions remained as to whether such authority would be sustained over time, particularly in light of executive opposition and shifting political conditions.

The subsequent adoption of the Fourteenth Amendment served to secure the principle of citizenship at the constitutional level, placing it beyond the reach of ordinary legislative repeal. In this sense, the Amendment may be understood as a structural reinforcement of the statutory declaration.

The purpose was not to replace the statute, but to ensure its durability.

## **III. Textual Comparison and Divergence**

The statutory language defines citizens as those “born in the United States and not subject to any foreign power.” The constitutional formulation provides that “all persons born or

naturalized in the United States, and subject to the jurisdiction thereof, are citizens.”

While these formulations are closely related, they are not identical.

The statutory language emphasizes the absence of foreign allegiance. The constitutional language emphasizes the presence of domestic jurisdiction. The shift from one formulation to the other introduces a broader interpretive frame, one capable of encompassing a wider range of circumstances.

This divergence, while subtle, carries significant implications for the development of citizenship doctrine.

#### **IV. From Targeted Statute to General Constitutional Principle**

The Civil Rights Act of 1866 was enacted to address a specific legal condition—the exclusion of a defined class from citizenship. Its language, though general in form, was applied in a targeted context.

The Fourteenth Amendment, by contrast, articulates a constitutional principle of broader scope. In doing so, it

transforms a targeted statutory solution into a general rule of national application.

This transformation is structurally significant. It marks the point at which citizenship begins to function less as a corrective measure for a specific injustice and more as a general attribute of national membership.

### **V. Strategic Consequence: Doctrinal Generalization**

The transition from statute to constitutional amendment introduces what may be described as doctrinal generalization. As the principle of citizenship is extended beyond its original context, the identity of the initial beneficiary class becomes less central to interpretation.

Over time, the focus shifts from the conditions that gave rise to the definition to the breadth of its application. The result is a conceptual expansion in which the original grounding of the statute is no longer foregrounded in legal analysis.

This generalization does not occur through a single act, but through cumulative interpretation. Judicial decisions, administrative practices, and public understanding all contribute to a broader conception of citizenship that operates with decreasing reference to its statutory origin.

## **VI. Distinction Between Reinforcement and Transformation**

It is essential to distinguish between the reinforcement of a legal principle and its transformation. The Fourteenth Amendment reinforces the concept of birthright citizenship by placing it within the Constitution. At the same time, it transforms the interpretive landscape by recasting that concept in broader terms.

This dual function complicates analysis. The Amendment both preserves and expands the original definition. Without careful attention to the distinction between these functions, interpretation may conflate the two, attributing to the original statute a scope that it did not, in its context, possess.

## **VII. Implications for Identifying the Original Citizen Class**

The generalization introduced by the Fourteenth Amendment has the effect of obscuring the identity of the original citizen class as defined in the Civil Rights Act of 1866. As citizenship becomes more widely attributed, the specific historical and legal circumstances of its initial conferral recede from view.

This obscuration does not eliminate the original class, but it diminishes its visibility within legal discourse. The absence of explicit differentiation leads to a form of conceptual flattening, in which all instances of citizenship are treated as functionally identical, regardless of origin.

### **VIII. Strategic Importance of Re-Establishing the Sequence**

For purposes of legal analysis, it is necessary to re-establish the sequence between the 1866 Act and the Fourteenth Amendment. The statute provides the initial definition and identifies the class for whom that definition was necessary. The Amendment secures and expands that definition.

Restoring this sequence allows for a clearer understanding of how citizenship doctrine developed and provides a framework for distinguishing between original meaning and subsequent interpretation.

### **IX. Conclusion**

The relationship between the Civil Rights Act of 1866 and the Fourteenth Amendment is foundational to any analysis of federal citizenship. The statute establishes the original

definition; the Amendment constitutionalizes and generalizes it.

Recognition of both functions—reinforcement and transformation—is essential. Without it, the interpretive link between origin and application is lost, and the analysis of citizenship becomes detached from its historical and legal grounding.

## **Chapter 5**

### **From Specific Class to General Category**

#### **I. The Original Specificity of the 1866 Act**

The Civil Rights Act of 1866, while framed in general language, operated within a context of clear specificity. It addressed a defined legal condition—the exclusion of a particular class from citizenship—and provided a federal remedy directed toward that condition.

The class in question was not hypothetical. It was identifiable, historically situated, and repeatedly referenced in legislative discussion. The statute’s general phrasing functioned as a legal mechanism for inclusion, but its purpose was anchored in the necessity of recognizing those who had been denied legal identity.

Thus, the Act reflects a form of targeted universality: general in expression, specific in application.

#### **II. Structural Expansion Through Constitutionalization**

With the adoption of the Fourteenth Amendment, the principle of birthright citizenship was elevated from

statutory enactment to constitutional mandate. This shift secured the durability of the principle, but it also altered its structural character.

As a constitutional provision, the citizenship clause operates at a higher level of generality. It is not limited to the circumstances that gave rise to the original statute, nor is it tied to a single identifiable class. Instead, it functions as a broad rule governing national membership.

This structural expansion is neither accidental nor incidental. It reflects the transformation of a specific legal remedy into a general constitutional principle.

### **III. Doctrinal Generalization and Its Mechanism**

The movement from specificity to generality occurs through a process of doctrinal generalization. This process does not require an explicit rejection of the original context. Rather, it operates by gradually shifting the focus of interpretation.

Initially, the statute is understood in light of the problem it was designed to solve. Over time, as the principle is applied in new contexts, the original problem recedes in significance. The language of the statute—and later, the

Constitution—is then interpreted without consistent reference to its historical grounding.

The mechanism is cumulative. Judicial decisions emphasize the breadth of the principle. Administrative practices apply it across varied circumstances. Public understanding adapts to its generalized form. At each stage, the connection to the original beneficiary class becomes less pronounced.

#### **IV. The Emergence of a General Category of Citizenship**

As a result of this process, citizenship comes to be understood as a general category rather than a status with a specific point of origin. The defining characteristics of the original class—its historical condition, its lack of prior recognition, and the necessity of federal intervention—are no longer central to the analysis.

Instead, citizenship is treated as a uniform attribute, applicable in the same manner to all persons who meet the formal criteria, regardless of the context in which those criteria were first established.

This shift represents a conceptual reconfiguration. The focus moves from who was first recognized and why to who may now be included under a generalized rule.

## **V. What Is Lost in the Process of Generalization**

The generalization of citizenship entails the loss of several elements that were present at the statute's origin.

First, there is a loss of historical specificity. The identity of the class for whom citizenship was first declared becomes secondary to the abstract formulation of the rule.

Second, there is a loss of interpretive anchoring. Without reference to the original context, the meaning of the statute is derived from its language alone, detached from the conditions that gave it substance.

Third, there is a loss of distinct legal identity. The original beneficiary class, once clearly identifiable, becomes indistinguishable within the broader category of citizens.

These losses do not negate the existence of citizenship for others. Rather, they obscure the origin and character of the initial conferral.

## **VI. Distinguishing Expansion from Erasure**

It is necessary to distinguish between the expansion of a legal principle and the erasure of its origin. Expansion occurs

when a principle is applied to new circumstances beyond those initially contemplated. Erasure occurs when the original context is no longer recognized as relevant to interpretation.

The development of citizenship doctrine reflects both processes. The principle of birthright citizenship has been expanded in its application. At the same time, the centrality of the original beneficiary class has been diminished.

A proper legal analysis must account for both developments, maintaining the distinction between them.

## **VII. Strategic Consequence: Conceptual Flattening**

The cumulative effect of doctrinal generalization is a form of conceptual flattening. Differences in origin, purpose, and legal context are reduced to a single, undifferentiated category.

In such a framework, all instances of citizenship appear equivalent, not because they arise from identical conditions, but because the distinctions between them are no longer examined.

This flattening simplifies analysis, but at the cost of precision. It substitutes uniformity for specificity and risks obscuring the legal structure from which the category itself emerged.

### **VIII. Relevance to Present Analysis**

The identification of what has been lost through generalization is not an exercise in historical reconstruction alone. It is directly relevant to contemporary interpretation.

If the origin of citizenship is not properly understood, then its present application may rest on an incomplete foundation. Conversely, restoring attention to that origin allows for a more precise and coherent analysis of the doctrine as it exists today.

### **IX. Conclusion**

The transition from a specific statutory remedy to a general constitutional principle has resulted in the broad application of citizenship as a uniform category. In the process, the identity and significance of the original beneficiary class have been diminished within legal discourse.

Recognizing this shift does not challenge the existence of expanded citizenship. It restores the analytical distinction between origin and application, thereby providing a clearer framework for understanding the development of federal citizenship.

## **Chapter 6**

### **Dilution, Confusion, and the Loss of Original Identity**

#### **I. From Generalization to Dilution**

The process identified in the preceding chapter—whereby a specific statutory remedy becomes a general constitutional principle—does not conclude with generalization. It proceeds further into dilution, a condition in which the original meaning of a legal concept is not merely broadened, but weakened in its definitional force.

Dilution occurs when a principle, applied across increasingly varied contexts, loses the clarity of its initial boundaries. In the case of citizenship, the expansion from a targeted statutory declaration to a broadly applied constitutional category has produced such a condition. The original elements that defined the class of beneficiaries are no longer required for inclusion within the category, and as a result, the category itself becomes less precise.

## **II. Doctrinal Detachment from Origin**

A central feature of dilution is detachment from origin. Where the meaning of a statute is no longer interpreted with reference to the conditions that gave rise to it, the connection between definition and purpose is severed.

In the context of the Civil Rights Act of 1866, this detachment is evident in the diminishing role of the original beneficiary class within contemporary analysis. The statute's language is often invoked, directly or indirectly, without reference to the specific historical condition it was enacted to resolve.

This detachment does not alter the text of the law. It alters its interpretation.

## **III. Confusion as a Byproduct of Dilution**

Where definitional clarity is reduced, interpretive confusion emerges. This confusion does not necessarily manifest as overt contradiction. It appears instead as a lack of conceptual precision—an inability to distinguish between categories that were, at origin, distinct.

In modern discourse, citizenship is frequently treated as a uniform and self-evident status. The question of how that status was first defined, and for whom, is often absent from analysis. As a result, distinctions between origin, expansion, and application are collapsed into a single undifferentiated understanding.

This condition may be described as conceptual conflation: different legal pathways to citizenship are treated as if they were identical in foundation and meaning.

#### **IV. The Loss of Original Identity as a Legal Category**

The combined effect of dilution and confusion is the loss of original identity as a recognizable legal category. The class of persons for whom federal citizenship was first declared remains present in fact, but not in distinct legal recognition.

This loss is not the result of explicit repeal or formal redefinition. It arises from the absence of differentiation within the broader category of citizenship. Where no distinction is maintained, none is perceived.

The original class is thus absorbed into a generalized framework, its unique legal and historical characteristics no longer operative in analysis.

## **V. Distinction Between Status and Identity**

It is necessary to distinguish between status and identity in this context. Status refers to the legal condition of being a citizen. Identity refers to the basis upon which that status was originally conferred.

While the status of citizenship has been extended and maintained, the identity of the original class has not been preserved with equal clarity. The law continues to recognize citizens, but it does not consistently recognize the distinct origin of the first federally defined citizen class.

This distinction is critical. Without it, the analysis of citizenship remains incomplete.

## **VI. Strategic Consequence: Interpretive Instability**

The absence of clear distinctions introduces a degree of interpretive instability into the doctrine of citizenship. Where foundational categories are not clearly defined, the application of the law may vary depending on context, perspective, or policy considerations.

This instability does not necessarily produce immediate conflict. It produces uncertainty—a condition in which the boundaries of the doctrine are not firmly anchored. Over time, such uncertainty can lead to divergent interpretations that lack a common point of reference.

## **VII. The Role of Historical Memory in Legal Clarity**

Legal clarity is not maintained by text alone. It is sustained by historical memory—the continued recognition of the circumstances under which a law was created and the purposes it was designed to serve.

Where that memory is diminished, the law remains, but its meaning becomes less certain. The Civil Rights Act of 1866 continues to exist as a foundational statute, yet its original context is not consistently integrated into contemporary interpretation.

Restoring that context is not an act of revision, but of clarification.

## **VIII. Relevance to Doctrinal Reconstruction**

The identification of dilution, confusion, and loss of identity provides the necessary basis for doctrinal reconstruction.

Before a legal concept can be clarified, the sources of its ambiguity must be identified.

This chapter does not propose a solution. It establishes the condition that makes a solution necessary. By identifying the points at which meaning has been diluted and distinctions have been lost, it prepares the ground for a more precise re-articulation of the doctrine.

## **IX. Conclusion**

The development of citizenship from a targeted statutory remedy to a generalized constitutional principle has resulted in the dilution of its original definition, the emergence of interpretive confusion, and the loss of the original beneficiary class as a distinct legal identity.

Recognition of these effects is essential. Without it, the analysis of citizenship remains incomplete, and the possibility of doctrinal clarity remains out of reach.

**PART III**

**RE-CLAIMING THE ORIGINAL  
STATUS**

# **Chapter 7**

## **The Primary Beneficiaries Doctrine**

### **I. Formal Statement of the Doctrine**

The Primary Beneficiaries Doctrine is hereby defined as follows:

Where a statute is enacted to remedy a specific legal condition affecting an identifiable class, that class constitutes the primary beneficiary of the statute, and its identity remains central to the interpretation of the statute's meaning, scope, and application.

This doctrine does not negate the possibility of broader application. It establishes a rule of interpretation: that the origin of a statute—both in purpose and in identified beneficiaries—retains continuing legal significance.

### **II. Doctrinal Basis in Statutory Interpretation**

The Primary Beneficiaries Doctrine is grounded in established principles of statutory interpretation. Courts routinely consider the purpose of a statute, the conditions of

its enactment, and the class of persons it was intended to affect.

Where legislative intent is directed toward a specific group, that group functions as the interpretive anchor of the statute. General language does not displace this anchor; it operates through it.

Accordingly, identification of the primary beneficiary class is not optional. It is necessary for faithful interpretation.

### **III. Application to the Civil Rights Act of 1866**

Applied to the Civil Rights Act of 1866, the doctrine yields a clear result.

The statute was enacted to resolve the legal non-recognition of a defined class—formerly enslaved persons of African descent. This class was repeatedly identified in legislative debate and formed the basis for the statute’s necessity.

Therefore, this class constitutes the primary beneficiary of the Act.

This conclusion follows directly from the conditions of enactment and does not depend on subsequent interpretation.

#### **IV. Distinction Between Primary and Secondary Application**

The doctrine recognizes a distinction between primary beneficiaries and secondary applications.

Primary beneficiaries are those for whom the statute was enacted. Secondary applications arise when the statutory language is applied to persons or circumstances beyond the original context.

This distinction does not invalidate secondary applications. It clarifies their relationship to the statute's origin. Secondary applications derive their authority from the statutory language, but their meaning must be understood in relation to the primary context.

Failure to maintain this distinction results in interpretive conflation.

## **V. Doctrinal Consequence of Ignoring Primary Beneficiaries**

Where the identity of the primary beneficiaries is disregarded, interpretation becomes detached from purpose. The statute is then read as if it were enacted without reference to any specific condition, reducing it to an abstract rule.

Such an approach undermines the coherence of legal analysis. It substitutes generality for precision and obscures the structure of the law.

The Primary Beneficiaries Doctrine operates to prevent this outcome by restoring the connection between origin and meaning.

## **VI. Relationship to Constitutional Expansion**

The subsequent constitutionalization of citizenship through the Fourteenth Amendment does not displace the doctrine. Rather, it introduces a broader framework within which the doctrine continues to operate.

The Amendment expands the application of citizenship. It does not redefine the identity of the original beneficiaries of

the statutory definition. The two operate at different levels: one as origin, the other as expansion.

The doctrine preserves this distinction.

## **VII. Assertion of Doctrinal Authority**

The Primary Beneficiaries Doctrine is not proposed as a novel theory detached from legal method. It is a formal articulation of interpretive principles already present within the law, applied with specificity to the question of federal citizenship.

Its authority derives from the necessity of identifying legislative purpose, the consistency of congressional intent in the 1866 Act, and the structural relationship between statute and constitutional amendment.

Accordingly, the doctrine is asserted not as a speculative claim, but as a required framework for coherent analysis.

## **VIII. Functional Role in Re-Claiming Legal Identity**

The doctrine provides the mechanism by which the original federal citizen class may be identified and distinguished within the broader category of citizenship.

It does not create that class. It reveals it.

By restoring attention to the primary beneficiaries, the doctrine enables a re-articulation of legal identity grounded in the original statute.

## **IX. Conclusion**

The Primary Beneficiaries Doctrine establishes that the identity of the original class for whom a statute was enacted remains central to its interpretation. Applied to the Civil Rights Act of 1866, it identifies the formerly enslaved population as the primary beneficiary class and restores that identification to its proper place within legal analysis.

## **Chapter 8**

### **Re-Claimed Exclusive Federal Citizenship**

#### **I. From Doctrine to Identifiable Class**

The Primary Beneficiaries Doctrine, as established in the preceding chapter, provides the interpretive framework necessary to identify the class for whom federal citizenship was first declared. That framework, when applied to the Civil Rights Act of 1866, yields a specific and historically grounded result: the formerly enslaved population of African descent constitutes the primary beneficiary class.

This identification is not theoretical. It arises from the statutory purpose, the conditions of enactment, and the consistent legislative recognition of that class as the subject of the Act.

Accordingly, the doctrine moves from abstraction to application, defining a class that is both legally and historically identifiable.

## **II. The Concept of Re-Claimed Citizenship**

The term Re-Claimed Federal Citizenship is used herein to describe the process by which the original beneficiary class reasserts its foundational legal identity as defined in the 1866 Act.

This concept does not imply the creation of a new status. It reflects the re-articulation of an existing one—restored to clarity after a period of doctrinal generalization and interpretive dilution.

Re-claiming, in this sense, is not an act of acquisition. It is an act of recognition.

## **III. Distinction Between General Citizenship and Original Federal Identity**

Within the broader framework of United States citizenship, a distinction must be maintained between general citizenship as it has developed through constitutional expansion and the original federal identity established by statute.

General citizenship encompasses all persons who meet the criteria as currently interpreted under the Fourteenth

Amendment and related doctrines. This category reflects the cumulative development of law over time.

The original federal identity, by contrast, is anchored in the specific historical and legal circumstances that necessitated the first federal declaration of citizenship.

These two categories are not mutually exclusive in status, but they are distinct in origin.

#### **IV. The Meaning of “Exclusive” in Doctrinal Context**

The use of the term “exclusive” within this Treatise is not intended to deny the existence or legitimacy of citizenship as applied to others. It is used in a doctrinal sense, referring to the unique position of the original beneficiary class as the first and foundational recipients of federally defined citizenship.

Exclusivity, in this context, denotes priority of origin, not exclusivity of possession.

The original class is exclusive in the sense that no other class shares its position as the initial subject of the statutory declaration. This exclusivity is historical and legal, not prohibitive.

## **V. Controlled Assertion of Distinct Identity**

The assertion of a distinct federal identity must be made with precision. It does not operate to exclude others from citizenship. It operates to identify a class whose relationship to the origin of that citizenship is unique.

This distinction is essential to maintaining analytical clarity. Without it, the doctrine risks being mischaracterized as a claim of exclusion rather than a claim of definition.

The assertion is therefore controlled: it affirms a distinct identity without negating the broader category within which it exists.

## **VI. Relationship to Expansion Under the Fourteenth Amendment**

The expansion of citizenship through the Fourteenth Amendment does not eliminate the distinct identity of the original class. It extends the application of citizenship beyond its initial context.

The existence of expansion presupposes an origin. Recognition of the expanded category does not negate the necessity of identifying that origin.

Accordingly, the re-claimed identity operates within the broader constitutional framework, distinguished by its historical and legal foundation.

## **VII. Doctrinal Function of Re-Claimed Identity**

The identification of a re-claimed federal citizen class serves a specific doctrinal function. It restores the connection between statutory origin and contemporary interpretation.

By re-establishing this connection, the doctrine provides a structured framework for distinguishing between different bases of citizenship. It introduces a level of analytical precision that is absent in a purely generalized approach.

This function is not symbolic. It is interpretive.

## **VIII. Strategic Importance in Contemporary Context**

In a contemporary context marked by renewed debate over the meaning and scope of citizenship, the re-assertion of original federal identity assumes particular importance.

Where questions arise concerning the boundaries of citizenship, the absence of a clear reference point increases the likelihood of inconsistent or overly generalized

interpretation. The identification of the original class provides such a reference point.

It does not resolve all questions. It establishes the basis upon which they may be more precisely considered.

## **IX. Conclusion**

Re-Claimed Exclusive Federal Citizenship, as defined in this Treatise, refers to the restored recognition of the original beneficiary class of the Civil Rights Act of 1866 as a distinct and foundational category within the broader framework of United States citizenship.

This recognition is grounded in statutory origin, clarified through doctrinal analysis, and asserted with precision. It affirms the uniqueness of the original class without negating the existence of citizenship as applied to others, thereby preserving both distinction and coherence within the doctrine.

## **Chapter 9**

### **The Meaning of Reset and Re-Assertion**

#### **I. The Necessity of Doctrinal Clarification**

The introduction of the terms “reset” and “re-assertion” within the context of federal citizenship requires precise definition. Without such clarification, these terms may be misunderstood as proposing a change in law rather than an interpretation of existing law.

This chapter serves to define these terms in a strictly doctrinal sense, ensuring that the argument advanced in this Treatise is properly understood.

#### **II. “Reset” as Interpretive Realignment**

The term “reset,” as used herein, does not refer to the creation of new law, the revocation of existing citizenship, or the reordering of legal status among persons currently recognized as citizens.

Rather, “reset” refers to an interpretive realignment—a return to the original statutory framework established by the

Civil Rights Act of 1866 as the proper starting point for analysis.

In this sense, reset is methodological, not legislative. It concerns the point of reference, not the substance of the law itself.

### **III. Re-Assertion as Recognition, Not Acquisition**

The term “re-assertion” likewise requires clarification. It does not denote the acquisition of a new legal status by the original beneficiary class. That status, as established by statute, already exists.

Re-assertion refers to the recognition and articulation of that status within legal analysis. It is the act of bringing into clarity what has been obscured through doctrinal generalization.

Thus, re-assertion is descriptive, not constitutive. It identifies; it does not create.

#### **IV. Distinction from Claims of Exclusion**

It is necessary to state explicitly that neither “reset” nor “re-assertion” operates to exclude any person from citizenship as currently recognized under law.

The argument advanced in this Treatise does not seek to invalidate the citizenship of any individual or class of individuals. It does not propose the narrowing of the constitutional definition as presently applied.

Instead, it introduces a distinction within the category of citizenship—between origin and expansion—without altering the legal status of those included within that category.

#### **V. Preservation of Existing Legal Framework**

The interpretive realignment described as “reset” operates within the existing legal framework. It does not disturb the constitutional structure established by the Fourteenth Amendment or the body of law developed thereunder.

The doctrine advanced here is therefore compatible with current law. It refines interpretation without requiring structural change.

This distinction is essential to maintaining the legal coherence of the argument.

## **VI. Function of Reset in Doctrinal Analysis**

The function of reset is to restore the sequence of analysis. It re-establishes the Civil Rights Act of 1866 as the point of origin and situates subsequent developments in relation to that origin.

By doing so, it allows for a clearer distinction between the original conferral of citizenship, the constitutionalization of that conferral, and the expansion of its application.

This sequence provides a structured framework for interpretation, reducing ambiguity and enhancing precision.

## **VII. Defensive Clarification Against Misinterpretation**

Absent the clarifications provided herein, the concepts of reset and re-assertion may be subject to mischaracterization. They may be construed as proposing exclusion, revision, or reclassification of citizenship status.

Such interpretations would be incorrect.

The doctrine advanced in this Treatise is limited to interpretive clarification. It identifies distinctions that exist within the law; it does not impose new conditions upon it.

This defensive clarification is necessary to ensure that the argument is evaluated on its actual terms.

### **VIII. Strategic Importance of Controlled Language**

The use of controlled language in defining reset and re-assertion serves a strategic function. It maintains the integrity of the argument while preventing unnecessary expansion into areas not intended by the doctrine.

Precision in terminology ensures that the focus remains on the identification of the original beneficiary class and the restoration of its interpretive significance.

Without such precision, the argument risks dilution through misunderstanding—the very condition it seeks to address.

### **IX. Conclusion**

“Reset” and “re-assertion,” as used in this Treatise, refer to an interpretive realignment and a recognition of existing

legal identity. They do not create new law, alter existing citizenship, or exclude any class of persons.

Properly understood, these concepts provide the methodological basis for restoring clarity to the doctrine of federal citizenship, anchoring it once again in its statutory origin while preserving the broader framework within which it has developed.

**PART IV**

**DECLARATORY CLAIM:**

**PRESENT CONTROVERSY**

# Chapter 10

## The Legal Claim Being Asserted

### I. Nature of the Claim

This Treatise advances a declaratory legal claim concerning the interpretation of federal citizenship as originally defined by the Civil Rights Act of 1866 and subsequently incorporated, in modified form, into the Fourteenth Amendment.

The claim is interpretive in nature. It does not seek to alter existing law, but to clarify its structure by restoring attention to its origin, its primary beneficiaries, and the sequence of its development.

### II. Formal Statement of the Claim

The claim may be stated as follows:

The class of persons for whom federal citizenship was first explicitly declared by statute—namely, formerly enslaved persons of African descent—constitutes the original and primary beneficiary class of United States citizenship. This class retains a distinct and foundational legal identity within

the broader category of citizenship, and its identification is necessary for a complete and coherent interpretation of federal citizenship doctrine.

This statement reflects the application of the Primary Beneficiaries Doctrine and the analysis developed in the preceding chapters.

### **III. Basis in Statutory Origin**

The foundation of this claim lies in the statutory origin of federal citizenship. The Civil Rights Act of 1866 represents the first instance in which the federal government defined citizenship in explicit terms.

The Act was enacted to resolve a specific legal condition—the exclusion of a defined class from citizenship—and to provide a federal declaration of status for that class. The identity of the class is therefore inseparable from the meaning of the statute.

Recognition of this origin is essential to maintaining interpretive coherence.

#### **IV. Continuity Through Constitutional Incorporation**

The subsequent adoption of the Fourteenth Amendment incorporated the principle of birthright citizenship into the Constitution. While the Amendment broadened the scope of application, it did not redefine the identity of the original beneficiary class.

The relationship between statute and amendment is one of continuity and expansion. The constitutional provision builds upon the statutory foundation, extending its principle without displacing its origin.

Accordingly, the identification of the original class remains relevant within the constitutional framework.

#### **V. Distinction Between Claim and Policy Proposal**

It is necessary to distinguish this declaratory claim from any form of policy proposal or legislative agenda.

This Treatise does not advocate for changes to the current legal definition of citizenship. It does not propose the exclusion of any individual or group from citizenship as presently recognized.

The claim is confined to interpretation. It identifies a distinction within the doctrine of citizenship that arises from its origin and development, without seeking to alter its present application.

## **VI. Strategic Positioning Within Contemporary Debate**

The present moment is characterized by renewed public and legal attention to the meaning and scope of citizenship. Debates concerning the interpretation of the Fourteenth Amendment have brought foundational questions back into focus.

Within this context, the absence of a clearly articulated reference to the original statutory definition introduces the risk of incomplete analysis. Arguments are advanced concerning the breadth of citizenship without consistent consideration of its origin.

The claim presented herein addresses this gap. It provides a point of reference grounded in statute and history, enabling a more structured and precise engagement with contemporary issues.

## **VII. Function in the Court of Ultimate Public Opinion**

Beyond formal legal institutions, interpretation of constitutional principles occurs within the broader sphere of public discourse—the Court of Ultimate Public Opinion.

In this forum, clarity of argument and coherence of structure are essential. The declaratory claim advanced in this Treatise is formulated to operate within this sphere, presenting a position that is both legally grounded and publicly intelligible.

Its purpose is not merely to persuade, but to frame the discussion in terms that reflect the underlying structure of the law.

## **VIII. Anticipated Objections and Scope of Response**

It is anticipated that the claim may be subject to objection on the grounds that it introduces unnecessary distinction within the category of citizenship. Such objections, however, often arise from the assumption that uniformity is equivalent to clarity.

The doctrine advanced here challenges that assumption. It demonstrates that distinction, when grounded in origin, enhances rather than diminishes analytical precision.

The scope of the claim is limited. It does not extend beyond the identification of the original beneficiary class and the assertion of its continued relevance.

## **IX. Conclusion**

The declaratory claim presented in this chapter establishes that the original beneficiaries of the Civil Rights Act of 1866 retain a distinct and foundational identity within the doctrine of federal citizenship. Recognition of this identity restores the connection between statutory origin and contemporary interpretation, providing a clearer framework for understanding the development and meaning of citizenship under United States law.

# Chapter 11

## Why This Question Matters Now

### **I. Renewed Centrality of Citizenship in Legal Discourse**

Questions concerning the meaning and scope of citizenship have re-emerged as central issues in contemporary legal discourse. Debates surrounding the interpretation of the Fourteenth Amendment have brought renewed attention to the foundational principles that define national membership.

In this environment, the absence of a clear and consistently applied framework for interpreting citizenship introduces the risk of fragmented analysis. Competing interpretations may proceed without a shared point of reference, resulting in conclusions that diverge not only in outcome, but in method.

The need for clarity is therefore immediate.

### **II. The Consequence of Doctrinal Incompleteness**

Where the origin of a legal principle is not fully integrated into its interpretation, the resulting doctrine is incomplete.

This incompleteness does not necessarily invalidate the doctrine, but it limits its coherence.

In the case of federal citizenship, the diminished visibility of the original statutory definition established by the Civil Rights Act of 1866 creates a gap in analysis. The principle of citizenship is applied, but its foundational context is not consistently considered.

This gap has practical consequences. It affects how arguments are framed, how precedents are understood, and how the boundaries of citizenship are debated.

### **III. Societal Implications of Conceptual Ambiguity**

Legal ambiguity does not remain confined to courts and scholarly discourse. It extends into the broader society, shaping public understanding of identity, belonging, and national structure.

Where citizenship is understood as a uniform and undifferentiated category, distinctions rooted in origin and purpose are lost. This loss may simplify public discourse, but it does so at the expense of accuracy.

In a society that relies upon shared concepts of legal identity, such simplification can lead to misunderstanding. Individuals may speak of citizenship as if it were self-defining, without awareness of the historical and legal processes that established it.

Restoring clarity at the doctrinal level therefore has implications beyond the legal sphere.

#### **IV. Moral Dimension of Legal Clarity**

The pursuit of clarity in law carries a moral dimension. Laws are not merely technical instruments; they reflect judgments about recognition, status, and belonging.

The Civil Rights Act of 1866 was enacted to correct a profound moral and legal failure—the exclusion of a class of persons from recognition as citizens. In doing so, it affirmed that legal identity must align with principles of justice and equality as understood within the constitutional framework.

To interpret that Act without reference to the condition it addressed is to risk separating the law from the moral purpose that gave rise to it.

Clarity, in this context, is not an abstract goal. It is a means of maintaining the integrity of the law's origin.

## **V. Relevance to Contemporary Debates**

Current debates over citizenship often focus on questions of scope: who is included, under what conditions, and by what authority. These are legitimate questions, but they are frequently addressed without a consistent reference to the origin of the doctrine.

The analysis advanced in this Treatise introduces an additional dimension. It asks not only who is included, but who was first recognized and why. This question does not replace existing debates. It reframes them.

By restoring attention to origin, it provides a structured basis for evaluating claims about scope and application.

## **VI. The Risk of Continuing Without Clarification**

If the current trajectory of interpretation continues without renewed attention to origin, the doctrine of citizenship may become increasingly detached from its foundational context. Over time, this detachment can produce interpretations that, while consistent with the text as currently understood, lack

coherence when viewed against the historical and legal development of the principle.

Such a condition does not produce immediate breakdown. It produces gradual inconsistency—a divergence between origin and application that becomes more pronounced with each successive interpretation.

## **VII. The Role of the Present Generation**

Each generation inherits the legal framework established by those that came before. It also bears responsibility for how that framework is understood and applied.

The present generation stands at a point where foundational questions of citizenship are once again under examination. In such a moment, the responsibility is not merely to apply the law, but to understand it in its full context.

This includes recognizing the origin of federal citizenship, the class for whom it was first declared, and the process by which its meaning has developed.

## **VIII. Moral Urgency Without Overstatement**

The urgency of this inquiry lies not in the assertion of crisis, but in the recognition of opportunity. The re-emergence of debate creates a space in which foundational questions may be revisited with clarity and precision.

This Treatise does not claim that the doctrine of citizenship is in collapse. It asserts that it is incomplete in its current interpretation and that such incompleteness may be addressed through careful analysis.

The moral dimension of this work is therefore measured, not alarmist. It calls for attention, not reaction.

## **IX. Conclusion**

The question of citizenship matters now because it is once again the subject of active legal and public consideration. In this context, the absence of a clear connection to its statutory origin limits the coherence of the doctrine.

By restoring that connection, this Treatise seeks to contribute to a more precise and grounded understanding of federal citizenship—one that integrates its origin, its

development, and its present application within a unified framework.

## **Chapter 12**

### **The Federal Citizenship Act and the American Future**

#### **I. Continuity Between Origin and Future Application**

The development of federal citizenship in the United States reflects a continuous process, beginning with the statutory definition set forth in the Civil Rights Act of 1866 and extending through its constitutional incorporation in the Fourteenth Amendment and subsequent interpretation.

This process has produced a doctrine that is both stable in its core principle and expansive in its application. The challenge for future interpretation lies in maintaining continuity between these elements—ensuring that expansion does not obscure origin, and that application remains connected to foundation.

#### **II. The Role of Origin in Sustaining Coherence**

A legal doctrine sustains coherence when its foundational elements remain accessible to interpretation. In the context of citizenship, this requires continued recognition of the circumstances under which federal citizenship was first

defined and the class for whom that definition was necessary.

The origin established by the 1866 Act is not a historical artifact to be set aside. It is an interpretive reference point that anchors the doctrine as it evolves. Without such a reference, expansion risks proceeding without structural guidance.

### **III. Forward-Looking Application of the Primary Beneficiaries Doctrine**

The Primary Beneficiaries Doctrine, as articulated in this Treatise, provides a framework for maintaining this connection between origin and application. It does not limit the future development of citizenship doctrine. It informs it.

Future questions concerning the scope, meaning, and application of citizenship may be addressed with greater precision when the identity of the original beneficiary class is clearly understood. The doctrine serves as a point of orientation, ensuring that new interpretations remain grounded in established foundations.

#### **IV. Integration Rather Than Revision**

The analysis advanced herein does not call for revision of existing law. It calls for integration—the incorporation of origin into ongoing interpretation.

Integration allows for both continuity and development. It recognizes that the doctrine of citizenship has expanded while maintaining that such expansion must be understood in relation to its starting point.

This approach preserves the stability of the law while enhancing its clarity.

#### **V. Legacy of the 1866 Act in National Identity**

The Civil Rights Act of 1866 occupies a foundational place in the legal and civic identity of the United States. It represents the moment at which the federal government first declared, in explicit terms, the citizenship of a class previously excluded from recognition.

This legacy extends beyond the immediate context of its enactment. It informs the broader understanding of citizenship as a status grounded in both law and principle.

Recognition of this legacy contributes to a more complete understanding of the nation's legal development.

## **VI. Responsibility of Interpretation in Future Generations**

The responsibility of maintaining coherence within the doctrine of citizenship rests with those who interpret and apply it. Courts, scholars, policymakers, and citizens all participate in this process.

Future generations will confront new questions, shaped by changing circumstances and evolving societal conditions. In addressing those questions, the availability of a clear and structured understanding of the doctrine's origin will be of continuing importance.

Interpretation that is informed by origin is more likely to produce consistent and principled outcomes.

## **VII. The Function of This Treatise in Ongoing Discourse**

This Treatise is offered as a contribution to the ongoing discourse surrounding federal citizenship. Its purpose is not to conclude debate, but to provide a structured framework within which that debate may proceed.

By identifying the original beneficiary class, articulating the Primary Beneficiaries Doctrine, and distinguishing between origin and expansion, it seeks to restore elements of analysis that have diminished over time.

Its function is therefore both descriptive and interpretive.

### **VIII. Measured Vision of the Future**

The future of citizenship doctrine does not depend upon abrupt change. It depends upon careful clarification.

The integration of origin into contemporary interpretation does not disrupt the existing legal framework. It refines it. It provides a basis for understanding how the doctrine developed and how it may continue to develop in a coherent manner.

This measured approach reflects the nature of law itself—evolving, but anchored.

### **IX. Conclusion**

The Federal Citizenship Act of 1866 establishes the origin of a doctrine that continues to shape the legal identity of the United States. Its relationship to the Fourteenth Amendment

defines the structure through which that doctrine has expanded.

Recognition of this origin, and of the class for whom it was first declared, provides the necessary foundation for future interpretation. It ensures that the development of citizenship remains connected to its starting point, preserving both clarity and continuity.

This Treatise concludes with that recognition: that the future of federal citizenship doctrine is best secured not by departing from its origin, but by understanding it more fully.

**PART V**  
**EXHIBITS**

## **Exhibit A —**

### **Civil Rights Act of 1866 (Core Provision)**

#### **I. Statutory Text**

“All persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens.”

#### **II. Significance**

This provision constitutes the first explicit federal definition of citizenship and reflects a direct legislative response to the legal exclusion of the formerly enslaved population. Its structure, including the phrase “not subject to any foreign power,” establishes both the criteria and the limiting condition of the statutory declaration.

## **Exhibit B —**

### **Presidential Veto of 1866**

#### **I. Context**

President Andrew Johnson vetoed the Civil Rights Act of 1866, raising objections that illuminate how the Act was understood at the time.

#### **II. Illustrative Excerpts**

“This bill comprehends the Chinese of the Pacific States, Indians subject to taxation, the people called Gypsies, as well as the entire race designated as blacks...”

“By the first section of the bill all persons born in the United States... are declared to be citizens...”

These objections are significant because they confirm that the Act was understood as an affirmative federal act of citizenship with real definitional consequences.

#### **III. Interpretive Relevance**

The veto message underscores that the legislation was not viewed as symbolic. It was understood to create a federally recognized citizen class, centered on those previously excluded from political recognition. The controversy itself confirms the importance of the statutory act.

## **Exhibit C —**

### **Congressional Override - Legislative Intent**

Congress overrode President Johnson's veto, thereby confirming both the strength of legislative intent and the seriousness with which Congress viewed the necessity of federal citizenship protection.

The debates surrounding the Act repeatedly referenced the freedmen as the central subject of the legislation. This confirms that the Act, though general in wording, was enacted to address a specific legal injustice.

The override is itself evidence of constitutional determination: Congress did not merely pass the Act; it insisted upon it.

## **Exhibit D —**

### **Fourteenth Amendment Citizenship Clause**

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

This constitutional provision reflects the incorporation and expansion of the principle first declared in the Civil Rights Act of 1866. It secures the principle within the Constitution, while also shifting the language from “not subject to any foreign power” to “subject to the jurisdiction thereof.”

That shift is central to the doctrinal analysis in this Treatise, for it marks the movement from a targeted statutory condition to a broader constitutional standard.

## **Exhibit E —**

### **Doctrinal Framework Summary**

The argument advanced in this Treatise rests on the following linked propositions:

1. The Civil Rights Act of 1866 established the first explicit federal definition of citizenship.
2. The Act was enacted to remedy the legal non-recognition of a specific class.
3. That class—the formerly enslaved population of African descent—therefore constitutes the primary beneficiary class of the Act.
4. The Fourteenth Amendment constitutionalized and expanded the principle without displacing its origin.
5. Over time, doctrinal generalization diluted the visibility of that original identity.
6. The Primary Beneficiaries Doctrine restores interpretive clarity by reconnecting the doctrine of citizenship to its statutory point of origin.
7. Re-Claimed Exclusive Federal Citizenship refers to the restored recognition of that original class as a distinct and foundational category within the broader framework of citizenship.

## **APPENDIX**

## **Appendix A —**

### **Timeline of Federal Citizenship Development**

#### **1619–1865 — Condition of Legal Non-Recognition**

Enslaved persons of African descent were held within the jurisdiction of the United States without recognized federal citizenship status.

#### **1857 — Judicial Exclusion**

*Dred Scott v. Sandford* formalized the denial of citizenship to persons of African descent at the federal level.

#### **1865 — Abolition of Slavery**

The Thirteenth Amendment ended slavery but did not itself resolve the question of citizenship.

#### **1866 — First Federal Definition of Citizenship**

The Civil Rights Act of 1866 declared that all persons born in the United States and not subject to any foreign power are citizens.

#### **1866 — Presidential Veto and Congressional Override**

President Andrew Johnson vetoed the Act, and Congress overrode the veto, demonstrating strong legislative intent.

### **1868 — Constitutional Incorporation**

The Fourteenth Amendment constitutionalized the principle of citizenship.

### **Post-1868 — Doctrinal Expansion**

Citizenship doctrine broadened in application and grew increasingly detached from its specific statutory origin.

### **Present — Doctrinal Re-Examination**

Renewed public and legal debate has reopened questions concerning the meaning, scope, and origin of citizenship.

## **Appendix B —**

### **Key Conceptual Distinctions**

#### **Origin vs. Expansion**

Origin refers to the Civil Rights Act of 1866. Expansion refers to the Fourteenth Amendment and later interpretation.

#### **Primary vs. Secondary Application**

Primary application concerns the original beneficiary class. Secondary application concerns later application of the principle beyond the original context.

#### **Status vs. Identity**

Status refers to citizenship as a legal condition. Identity refers to the legal and historical basis upon which that condition was first conferred.

#### **Reset vs. Revision**

Reset refers to interpretive realignment with origin. Revision would mean changing the law itself. This Treatise proposes the former, not the latter.

## **Appendix C —**

### **Doctrinal Summary**

Federal citizenship was first explicitly defined by statute in 1866. That statute was enacted to remedy the legal exclusion of a specific class. The Fourteenth Amendment constitutionalized and broadened the principle. Doctrinal generalization obscured the original class. The Primary Beneficiaries Doctrine restores interpretive clarity by reconnecting citizenship doctrine to origin.

# TABLE OF AUTHORITIES

## **Constitutional Provisions**

U.S. Const. amend. XIII

U.S. Const. amend. XIV

## **Statutes**

Civil Rights Act of 1866

## **Cases**

*Dred Scott v. Sandford*

## **Legislative Materials**

Congressional debates concerning Civil Rights Act of 1866

Presidential veto message of Andrew Johnson regarding the

Civil Rights Act of 1866

## **Doctrinal Authorities**

Primary Beneficiaries Doctrine

Re-Claimed Federal Citizenship

Interpretive Reset Framework

## **ABOUT THE AUTHOR**

Ted Hayes, also known as Mr. Patriot and Mr. Citizen Patriot, is a long-standing civic advocate, public thinker, and founder of Justiceville. His work has engaged questions of homelessness, national identity, constitutional meaning, and civic renewal. In this Treatise, he advances a legal-historical framework concerning the original federal definition of citizenship and the continuing significance of its first beneficiaries.