

You Can Become an International Citizen

Robert E. Bauman JD

Have you ever thought about acquiring another citizenship and with it, a second passport?

You may never have considered it, but the United Nations Universal Declaration of Human Rights, shepherded to adoption in 1948 by, among others, Eleanor Roosevelt [CK], theoretically guarantees you and me:

- the right to freedom of movement among countries [CK]
- the right to residence in a country [CK]
- the right to a nationality and the right to change that nationality [CK all above: <http://www.un.org/en/documents/udhr/>]

As with most UN declarations its value, beyond the paper on which it is written, depends on how the politicians in each country decide to enforce restrictions on entry, residence and citizenship. There is no question that each sovereign country has the power and right to set its own rules.

In fact these so-called UN “rights” of free movement, travel and residence have been, and are, systematically violated by the governments of almost every nation, including both dictatorships and democracies when they find it convenient to do so.

Dual Nationality

So you do have a right to become a citizen of more than one country – and doing so could change your life for the better.

Government bureaucrats and especially tax collectors see dual nationality (the status of being officially a citizen in more than one nation) as a serious threat to their control over the citizens they profess to serve. Even so, under U.S. law, upheld by several U.S. Supreme Court decisions, holding a second citizenship does not jeopardize U.S. citizenship.

[CK] Note: The United States does not favor dual nationality as a matter of policy, but does recognize its existence in individual cases. The Supreme Court of the United States has stated that dual nationality is "a status long recognized in the law" and that "a person may have and exercise rights of nationality in two countries and be subject to the responsibilities of both. The mere fact that he asserts the rights of one citizenship does not without more mean that he renounces the other," (Kawakita v. U.S., 343 U.S. 717, 1952). http://mali.usembassy.gov/dual_nationality.html]

Dual nationality simply means that the law recognizes a person as a citizen of two countries at the same time, qualified as such under each nation’s law.

This dual status may result automatically, as when a child born in a foreign country to a U.S. citizen becomes both a U.S. citizen and a citizen of the country where he or she is born. Or it may result from an operation of law, as when a U.S. citizen acquires foreign citizenship by

marriage to a spouse from another nation, or a foreign person naturalized as a U.S. citizen retains the citizenship of their country of birth.

As more U.S. citizens acquire dual nationality, debate about this is intensifying. Whether they're eager to work or retire abroad, to be free of red tape and restrictions or want to strengthen ties with their ancestral lands, record numbers of Americans are obtaining a second, foreign passport. Many more simply leave the U.S. and make a new home abroad.

While it's impossible to know exactly how many Americans have acquired another passport, Professor Stanley Renshon of City University of New York [CK] puts the number of U.S. citizens who either hold, or who are entitled to hold, a second passport, at about 40 million of the 312 million Americans. [The number of citizens entitled to second passport could not be verified, therefore, it reads as: "According to Professor..."] [313,232 US population <http://www.census.gov/prod/2011pubs/11statab/pop.pdf>]

Millions of Americans are eligible to become dual citizens based on their family blood ties to foreign lands that allow dual citizenship based on parents or grandparents born there. These countries include Ireland, Italy, Mexico, Poland, Lithuania, Spain[with exceptions] and Luxembourg. [CK]

Good Reasons

So why would any U.S. citizen need to acquire a second nationality, and the additional passport that goes with that expanded political status?

One very good reason: increasingly, the U.S. government imposes highly burdensome restrictions on the freedoms that the nation's founders set down in the U.S. Constitution. For people of wealth, in particular, there is now an extensive web cast to catch persons "the government" decides may be doing something wrong. And the current definition of "wrong" is so expansive as to be all-inclusive in the bureaucratic mind.

For example, the very fact that one has an offshore bank account, creates an offshore trust, or owns shares in an international business corporation — any and all of these innocent financial choices can suggest potential tax evasion in the jaundiced eyes of the IRS [Internal Revenue Service on first mention]. It is not an exaggeration to state that the current IRS attitude is that any American with offshore financial activity is presumed to be engaged in tax evasion.

An alternative citizenship is, therefore, increasingly important as a personal powerful tool for truly international tax planning and investing. As a national of two different countries, you also can enjoy an extra degree of privacy in your banking and investment activities.

A second passport can be your key to a whole new world of freer movement, expanded international investment, greater flexibility, and even personal adventure.

End U.S. Taxes

One of the most important reasons for U.S. persons to acquire a second passport is to have the ability to end their U.S. citizenship – because that decision and process, known as “expatriation,” is the only way by which a U.S. person can end permanently his or her U.S. tax obligations. [CK with many conditions that must be checked via the IRS]

The personal advantages of having a second passport can be substantial, as in the case of the European Union where anyone who holds an EU country passport has the right to live, work and do business permanently in any of 27 EU countries without having to go through usual immigration barriers. [CK]

Until relatively recently, many countries did not permit their citizens to have foreign bank accounts, own foreign currencies or hold foreign investments. Those that did allow these financial activities abroad still imposed strict reporting requirements, currency controls, costly exit permits, and special transactions taxes. Sadly, governments are backward towards re-imposing these old restrictions.

But, smart “dual nationals,” as dual citizens are also known, like multinational corporations, can move about the world in such a way as to minimize or avoid currency and other controls.

There are even some possible tax savings. Members of Mick Jagger’s famous Rolling Stones rock group moved to France in 1972 in order to escape high British income taxes. Yet, many wealthy (and not so wealthy) Frenchmen have moved to the U.K. in order to avoid high French taxes. This anomaly exists because some high tax countries tax exempt foreigners who reside within their borders less than six months a year.

That tax tactic won’t work for U.S. citizens because Americans are taxed on all their worldwide income no matter its source or where the individual lives. A far better and fairer system is that of “territorial taxation” that only taxes earnings and business within a country’s borders. Panama is a good example. [This graf contradicts the first graf in this section. IRS tax regulations are complex and depending on the date one became an expat, U.S. citizens may owe tax for a specified period of time or if they return to the U.S. to visit or work. <http://www.irs.gov/businesses/small/international/article/0,,id=97245,00.html>]

May Be You Can Qualify

Legal grounds that may allow a person to have or acquire dual citizenship include:

1) Birth within the borders of a nation’s territory; the 14th Amendment to the U.S. Constitution grants citizenship to any child born within American territory, regardless of the citizenship of the parents.

[The 14th Amendment states: 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. It does not address citizenship issues of the parents. The Civil Rights Act of 1866 grants U.S. citizenship to all persons born in the United States who are not subjects of a foreign power].

2) Descent from a foreign citizen parent or grandparent, making blood ancestry a basis, as is the law in Ireland, Italy, Spain, Poland, Lithuania, Luxembourg or Greece; [CK]

3) Marriage to a foreign citizen; [CK]

4) Religion, as in Israel and its Law of Return for Jews; and

5) Formal naturalization; meaning applying and qualifying for citizenship status. The process for receiving the privilege of naturalization varies among countries. Usually, a certain period of residence is required (e.g., five years in the U.S.), plus good character and an absence of any criminal record, among other requirements. [CK]

Some countries such as Canada offer an accelerated path to citizenship (three years) if you make a substantial financial investment and create new jobs. Few know about it, but the United States has a similar program granting immediate residence to investors, as does The Bahamas, Panama, Uruguay, the Dominican Republic, Chile and many others countries. [CK]

One other expensive possibility is purchasing citizenship. Only two small Caribbean area countries offer official “economic citizenship” for sale; the Commonwealth of Dominica and Saint Kitts and Nevis. Each charges over \$200,000 for the citizenship, based on the number of family members applying and other factors.[CK]

Freedom at Issue

Oddly enough, with all the oppressive laws and taxes now imposed by America’s politicians, the Constitution and laws allow citizens a guaranteed escape hatch. We do have the right to end citizenship and the real possibility of acquiring a second citizenship. [This graf suggests ending U.S. citizenship, not obtaining dual citizenship, which can be very dicey advice see: http://travel.state.gov/law/citizenship/citizenship_776.html]

Thankfully there does exist the possibility of making a new home in a new country — even the possibility of eventually leaving your native citizenship behind. It may seem a radical idea to those born and raised in one country, but almost anyone with the financial means and determination can become an international citizen.

As I have explained, this is accomplished by acquiring a legal second citizenship in another country and, with that enhanced status, an official second passport allowing freer world travel with fewer problems from curious border guards or nosey customs and tax officials.

That second passport can open doors that otherwise would remain closed to you. Best of all, a second citizenship/passport can serve as your key to greater freedom, reducing taxes and protecting your assets — or even saving your life.

This is a dangerous world but there still are some more hospitable places where many of America’s original ideals are still alive and honored.

Finding that new home for you could be the solution to many of your problems. We at the Sovereign Society stand ready to assist you.

NOTE: Not sure about ending. W could plug Passport Book and/or list Mark Nestmann's services or whatever other product you think fits.