



Court Historical Society NEWSLETTER



Eastern District of Tennessee

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Naturalization

By Don K. Ferguson
Executive Director
Court Historical Society

"Why do you want to become an American citizen?"

This is the question that the late **U.S. District Judge Robert L. Taylor** used to ask each person appearing before him to receive American citizenship in the naturalization ceremonies held twice a year in federal court.

He called each applicant for citizenship forward, one at a time, and kindly asked them the question. It often was difficult for the applicants, unaccustomed to public speaking and frequently struggling with their English, to utter their words. But standing in front of the bench and facing only the judge instead of the full courtroom, it was as if they were talking only with him, and it was somewhat easier for them.

Sometimes the comments were passionate and emotional and would bring a tear to the eyes of those observing, especially the statements by those who had escaped from oppression in their native countries, leaving behind loved ones, and by others who had been uprooted by revolutions in their homeland.

As a News Sentinel reporter in the 1960s, I covered the naturalization ceremonies, and later, as deputy clerk of the court, I observed and participated in many others.

I can't recall the more moving responses after all these years, but here are some of the applicants' answers lifted from News Sentinel articles where past ceremony dates could be established:

"I believe this is a land of freedom and equal opportunity, and the final hope of the world." -- a man from the Philippines in 1977.

"After living in a Communist country, it is wonderful to live without fear, to be able to go to sleep and not be afraid of being taken someplace during the night and no one knowing where you are." -- a woman from Hungary in 1969.

"Because I've seen a touch of Communism." -- a South Vietnamese woman in 1965.

"Because I agree with the spiritual and moral idea on which this nation was founded." -- a woman from Italy in 1975.

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*AT SNAIL DARTER SYMPOSIUM--Shown here, from the left, are Chattanooga lawyer **Hank Hill**, who was the named plaintiff in the snail darter case; Madisonville and Knoxville lawyer **Peter Alliman**, who was active in the case as a law student and graduated into being an attorney on the case; **Pam Reeves**, Knoxville lawyer who was active in the case while a student and is credited with noting the approaching anniversary date, triggering interest in the scheduling of the symposium; **Zygmunt Plater**, former UT law professor who argued the case at all levels; and **Don K. Ferguson**, executive director of the U.S. District Court Historical Society. Alliman and Reeves are members of the Court Historical Society.*

**Photo by Mack S. Prichard
Tennessee State Naturalist**

A Date Remembered

The legendary snail darter case, tried in the Knoxville division of U.S. District Court in the mid-1970s, was ranked in a recent nationwide poll of environmental law professors as the most significant environmental case ever to be argued in the U.S. Supreme Court, according to UT law **Professor Dean Rivkin**.

The high court heard the case on April 18, 1978, and this date in 2008 was chosen for holding a 30-year retrospective on the case. The session was sponsored by the UT College of Law, the Environmental Law Organization, and the Howard H. Baker Jr. Center for Public Policy.

Panelists included Boston College Law professor **Zygmunt Plater**, formerly of the UT College of Law faculty, who argued the snail darter case at all levels of the litigation; Chattanooga lawyer **Hank Hill**, who, as a UT law student, served as named plaintiff in *TVA vs. Hill*; and two members of the last families moved off of their property on the final days before the flooding of the valley by Tellico Dam was begun.

Two items from that case that are in the possession of the Court Historical Society were displayed at the symposium--the actual snail darter fish that was introduced into evidence in the district court trial and an artist's courtroom sketch drawn during the trial for use in a television newscast.

These two items are among the many historical articles of court memorabilia on permanent display in the U.S. District Court History Suite maintained by the Court Historical Society in the Howard H. Baker Jr. U.S. Courthouse in Knoxville. ■

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"We wanted to have a country of our own, so we chose the best, a free country." -- in 1969, a man and wife who had left Cuba following the Castro takeover.

During Judge Taylor's tenure on the bench, which ended in 1985, the number of applicants for citizenship at each ceremony was much smaller than it is today.

In the 1960s and 1970s, that number averaged about 30 in each of the Knoxville, Greeneville, and Chattanooga divisions of the court. Today, classes of applicants often number more than 200.

To accommodate the large numbers of applicants and their family members, ceremonies often have to be moved from the courtrooms and held in large, off-site auditoriums.

The late **U.S. District Judge Charles G. Neese**, who presided in Greeneville, also followed the practice of calling the applicants forward and asking them why they wanted to become American citizens. His longtime secretary, **Fran Smith** of Greeneville, now retired, also remembers the often emotional answers that tugged at the hearts of those in the courtroom.

While new citizens in ceremonies today are not called on to say anything, each one is personally congratulated by the presiding judge as he or she is handed their citizenship certificate.

Why Have Ceremonies?

The judges in the Eastern District of Tennessee have always said that conducting naturalization ceremonies is one of the more enjoyable aspects of their judicial duties. But how did the ceremonies come into being?

Federal naturalization laws have existed since 1790, but ceremonies, as we know them today, didn't begin until 1906, following passage of the Basic Naturalization Act in June of that year. Section 6 of the Act provided, among other things, that all final hearings (naturalization ceremonies) would "be had only on stated days, to be fixed by the rule of the court," according to a spokesman for the Immigration and Naturalization Service Historical Reference Library. [The INS is known today as the U.S. Citizenship and Immigration Services.]

"In this way, groups of people came to be routinely naturalized on the same day, and the public became more aware of the naturalization process," the spokesman said. "The national Americanization movement of the early 20th century no doubt encouraged naturalization and citizenship ceremonies."

An Act of 1918 authorized the INS to send the names of citizenship candidates to the public schools so that they might be educated for citizenship. It also provided funds for the publication and distribution of a citizenship textbook.

In 1940, Congress passed a joint resolution requiring the judiciary's "effort to dignify and emphasize the significance of citizenship," the spokesman said.

[EDITOR'S NOTE--We are indebted to the late **Dr. Milton M. Klein**, University of Tennessee historian, for much of this information. At our request in 1992, Dr. Klein researched the background on why federal courts hold naturalization ceremonies. His widow is **Margaret Klein**, a retired Knoxville

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lawyer, member of the Court Historical Society, and a native of Scotland. She received her American citizenship in a naturalization ceremony in Knoxville's federal court in 1982 and has been the featured speaker at several naturalization ceremonies.]

Basic Requirements for Applying for Citizenship

- Applicants must have resided continuously in the U.S. as a lawful permanent resident for at least five years.
- If married to an American citizen, applicants must have resided continuously in the U.S. as a lawful permanent resident for at least three years.
- Application fee: \$675 (It increased to this figure effective July 30, 2007; the previous fee was \$395.) ■

The inscription below is displayed on a plaque in the rotunda of the American Adventure of Epcot Center at Disney World.

The author was a native of Armenia who came to America in 1922 at the age of 20 and became a successful restaurateur. He was awarded the Medal of Freedom by President Truman during World War II for his accomplishments and his contribution to his adopted country. The inscription is often reprinted on the programs of the court's naturalization ceremonies.

*You who have been born in America...
I wish I could make you understand
What it is like not to be an American
Not to have been an American all your life...
And then suddenly with the words of a man
In flowing robes to be one, for that moment
And forever after.
One moment you belong with your fathers
To a million dead yesterdays;
The next you belong with America
To a million unborn tomorrows.*

--George Magar Mardikian