

End Birthright Citizenship

It could be done with a simple vote by Congress

by Tom Andres

In January, Rep. Brian Bilbray (R-CA) introduced the Citizenship Reform Act of 1999 (HR 73 IH) “to amend the Immigration and Nationality Act to deny citizenship at birth to children born in the United States of parents who are not citizens or permanent resident aliens.” Representative Mark Foley (R-FL) is proposing a constitutional amendment (HJ RES 10) to accomplish the same thing. These efforts should have our support because granting birthright citizenship to the children of illegal aliens is misguided and just plain wrong.

This automatic citizenship “right” is said to come from the Fourteenth Amendment’s (1868) granting of citizenship to people “subject to the jurisdiction of the United States,” which was intended strictly for former slaves. The “jurisdiction” language itself came from Senator Lyman Trumbull who authored some of the first legislation enfranchising freed slaves.

So it is hard to imagine how this amendment commands that citizenship be awarded to the children of illegal aliens. Even if we just look at the words, how can it be said that families who are defying the “jurisdiction” of the United States are also “subject to” it? If they are, well then, why are they here?

Birthright citizenship broadcasts a message that the United States is just not serious about enforcing its own immigration laws, a message further amplified by other government activities.

No doubt there exist some dedicated public servants struggling under conflicting and dubious political and judicial guidelines, but what a spectacle. Glance at any newspaper on any given day and you will see articles on “Stepped Up Border Enforcement,” or for this or that reasons, “Illegals Freed,” or “More Aggressive Employer Raids,” or “New Toughness,” or “Extended Stays,” until

the whole enterprise starts looking as if it lacks only one big tent, two pachyderms and a brightly-colored train before it can begin touring from town to town.

Birthright citizenship circumvents our overall immigration policy, assuming we have one. It also assumes our policy-makers sometimes consider the impact of overall immigration numbers, including descendants, over time.

Each “anchor baby,” as one expert points out, can then become “a demographic time bomb,” since at age twenty-one he or she can petition for the admission of parents, siblings, spouses, spouses of siblings, children of siblings — forever chaining on and on down the line. This under-the-table immigration is occurring as others, who have had the tough luck of not having been born to illegals, wait for years to be admitted through standard channels.

Of course, when these subjects are brought up the Compassion Police immediately jump into their verbal squad cars and rush to the scene of argument. But a policy that refrains from bestowing citizenship on the children of illegals would no more be “blaming” or “punishing” innocent children than an airline would be blaming or punishing the children of hijackers by not awarding them Frequent Flier mileage for unscheduled flights to Havana.

What sort of compassionate nation says, “While you must not come here illegally, if you do somehow manage to sneak over the border, avoid arrest, survive stumbling across the desert a few days, snag some slave-wage job hidden in the shadows of our society, and then have a baby — Bingo!”

Immigration scholars say that there are also significant numbers of illegals who have no intention of becoming U.S. citizens. Apparently in those cases “compassion” takes the form of birthright law swapping into maternity wards and netting newborns into citizenship captivity.

American citizenship was once highly prized. How low it has fallen in the eyes of our political leaders who now want to scatter it as widely as possible like cheap

Tom Andres is a freelance writer, frequently on environmental issues, living in Santa Barbara, California.

trinkets thrown to a crowd along a parade route.

This “child-citizen loophole” — estimated to add up to at least an extra million citizens — is yet another example of America trumpeting to the world that there really are no population limits to any nation’s environmental carrying capacity. Hence the unofficial U.S. motto: “Nature — Schmatore — Let’s Grow.”

We are a mystery. It is doubtful that there has ever been a society so determined to rapidly overpopulate and deconstruct itself. But one significant step we can take in the opposite direction is to change this misguided policy of granting birthright citizenship to the children of parents who are, after all, citizens of other nations and who have decided to live in the United States illegally.