

# Power at the Polling Place

By **WILLIAM BUCHANAN**

From its founding, America has been in the naturalization business in a big way, generously admitting newcomers to full membership and gradually opening its bounty to all people regardless of race, sex, religion, or nationality.

Article I, Section 8 gives Congress the power “to establish an uniform Rule of Naturalization....” In its second session, Congress passed the Naturalization Act of 1790. One interested in naturalization had to be “a free white person” and a resident in this country for two years. He had to appear in a “common law court of record,” which court had to satisfy itself that the applicant was a person of “good character.” The court then administered an oath in which the applicant would swear to “support the Constitution of the United States.”

The Naturalization Act of 1795 increased the residence requirement to five years. In addition to swearing to support the Constitution, the applicant had to “renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty whereof such alien may at the time be a citizen or subject.”

In 1870, Congress extended naturalization eligibility to Africans and those of African descent. The 1952 Immigration and National Act (INA) extended eligibility to all races.

With the Naturalization Act of 1906, the federal government got serious about naturalization. It established a Bureau of Immigration and Naturalization, centralized record-keeping, standardized forms, and required naturalizers to learn English.

Why become a citizen? Initially, if one wanted to run for the U.S. House of Representatives or qualify for a seat in the U.S. Senate, one had to be a citizen. Some states required citizen status for any person purchasing land or opening a business. I have to believe that most became citizens simply because they loved America and wanted to be a part of it. Increasingly, however, it is about the right to vote. It’s about power at the polls.

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## Are immigrants naturalizing?

Immigration is at historic highs. The foreign-born are once again approaching their 1910 high-water mark — 13 percent of the American population. Are naturalizations keeping pace?

So naturalizations which had been occurring at a

NATURALIZATIONS	
Decade	Average/Year
1911-1920	113,000
1921-1930	177,000
1931-1940	152,000
1941-1950	199,000
1951-1960	119,000
1961-1970	112,000
1971-1980	146,000
1981-1990	221,000
1991-2000	560,000
2001-2010	656,000

U.S. Department of Homeland Security, Yearbook of Immigration Statistics, 2010, Table 20

fairly steady rate, averaging 154,000 per year in the first eight decades in which the feds had been gathering statistics, jumped more than four-fold in the first decade of the twenty-first century. How much more likely are immigrants to naturalize today than yesterday?

Let’s pick a period of time (four years) when immigration was a smooth transplant and naturalization (seven years later) was a natural function of time — no wars or economic downturns — and compare this with the modern era.

IMMIGRANTS	NATURALIZATIONS	PERCENT
1903-1906 = 3,797,150	1910-1913 = 250,002	6.6
2000-2003 = 3,662,223	2007-2010 = 3,070,644	83.9

## Why so low at first?

Here we can only speculate. Those mystic chords of memory Lincoln spoke of exist in all lands and for all people. People are loyal to the land of their birth. If the strange land they’ve moved to has a different set of values and language and seems intent on maintaining its strange ways, newcomers may wish to maintain their birth citizenship. If the strange new land passes

laws requiring naturalizers to take an oath of allegiance that demands they give up, irrevocably, membership in the land of their birth, newcomers may not want to take that oath. America has just such an oath, its antique language redolent of ancient verities.

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God.

American law, particularly the Nationality Act of 1940, made it clear that once you had taken that oath,

allegiances and force them to naturalize.

In 1944, 441,979 naturalizations were performed, a record that was not broken until 1995 (and every year thereafter!). The table below lists the ten countries with the most naturalizations in 1944. The columns show the average number of naturalizations for the five years preceding 1944, the totals in 1944, and the percentage increase in 1944 over the five-year percentage. I’ve no doubt most newcomers believed our cause was right. and saw naturalization as a way to support their boys (my boys!), about to give their lives for this country. But the percentage increases were noticeably greater for immigrants from the Axis countries. Their nationals were, perhaps, anxious to show they were patriots, that they did not approve of what their country of birth was doing. Local boys were coming home in boxes and neighbors were talking.

Why the explosive growth in naturalizations now? I can suggest three reasons.

**Dual citizenship**

A 1967, 5 to 4 Supreme Court decision, *Afroyim v. Rusk*, struck down much of the Nationality Act of 1940 and declared: “Congress has no power under the Constitution to divest a person of his United States citizenship absent his voluntary renunciation thereof.”

I am sure the framers of the citizenship clause of the 14<sup>th</sup> Amendment would be amazed.

Naturalizers still take the Oath of Allegiance and officials still administer it in a vain effort to maintain the fiction that loyalty is being affirmed. But the oath has been stripped of all dignity. We give immigrants our most prized possession, American citizenship, and they are free to become dual citizens, maintaining their old citizenship and passport — a gold-ingot advantage in a global economy. You’d have to be some kind of fool to give up the chance to gain U.S. citizenship while keeping membership in your home country. But the oath and the solemnity with which it is adminis-

tered is now a sham and the results are patently unfair to native-born Americans.

A fix? People who lie on the N-400, Application for Naturalization, can be stripped of their citizenship. The Citizenship Oath is taken and signed at the end of the form. It should be preceded by a separate signed and dated statement:

TEN HIGHEST COUNTRIES FOR NATURALIZATIONS IN 1944				
Country of Origin	1939-43 Average	1944	Percent Increase	Axis Power?
Italy	32,980	105,995	321	Yes
British Empire	72,834	86,210	18	
Germany	20,719	61,598	297	Yes
Poland	31,807	42,465	34	
USSR	19,858	25,384	28	
Hungary	5,443	13,897	255	Yes
Czechoslovakia	10,376	12,779	23	
Romania	3,263	8,102	248	Yes
Sweden	7,456	7,998	7	
Greece	5,128	7,447	45	

the citizenship you had gained could be lost. Suppose a person gave up membership in the land of their birth and then did something that caused them to lose their U.S. citizenship. Some immigrants, came here to work and intended to “go home” after building up a nest egg. Citizenship, to them, was a matter of indifference. The 1944 record shows how events can rip people from their

I understand that I will be in violation of the oath I am about to take if I thereafter vote in a foreign election, serve in a political office or the military service of another country, become a citizen of another country or obtain or use a passport issued by another country. I further understand that should I violate this oath, I can lose my American citizenship and may be deported.

### **Extended family**

Naturalized citizens are free to indulge the extended family privileges Congress has lavished upon them. As immigrants they could only bring in their spouses and minor children. As naturalized citizens they can also bring in — indeed, may feel an obligation to bring in — their parents, their adult sons and daughters and their spouses and children, and their brothers and sisters and their

spouses and children. We need to remove this incentive.

### **Power at the polls**

Citizenship empowers immigrants to vote. And what might Wooken-Americans like most from politicians seeking their vote? More Wookens, of course; a path to citizenship for illegal Wookens; a Wooken History Museum on the Mall; and equal status for English and Wooken. There is simply nothing so precious to us that a politician won't give it away to get 51 percent at the polls. And it is unrealistic to expect otherwise.

We have reached a tipping point, one that would have been recognizable to American Indians — the point at which we are no longer masters of our fate. We hear a lot about voter fraud and it is a serious problem. But its impact on our politics and way of life pales in comparison with the effects of massive immigration and an untethered citizenship process. ■