American Citizenship Is Precious

by Phyllis Schlafly
Oct. 12, 2005
Printer Friendly version
Google Ads are provided by Google and are not selected or endorsed by Eagle Forum

Rep. John Hostettler (R-IN) presided at a House hearing last week on Birthright Citizenship, Dual Citizenship and the Meaning of Sovereignty. It's unfortunate that this important subject received little media coverage.

The statistics are shocking. At least 383,000 babies are born in the United States every year to illegal aliens; that's 10 percent of all U.S. births and about 40 percent of indigent births.

The cost to the U.S. taxpayers is tremendous because all those babies, called anchor babies, claim birthright citizenship. Their mothers and other relatives then sign up for a vast stream of taxpayer benefits.

At least 12 million persons now live in the United States illegally. In addition, smugglers operate a thriving business of bringing in pregnant women from all over the world just in time to give birth and claim citizenship and citizens' benefits.

Why does the United States allow this racket to continue? Congress has failed to do its duty to protect American citizenship, sovereignty, and taxpayers.

The Citizenship Clause of the Fourteenth Amendment states that U.S. citizens are "all persons born or naturalized in the United States and subject to the jurisdiction thereof." Federal law uses almost identical language.

"Subject to the jurisdiction thereof" is an essential part of the definition. History emphatically confirms the importance and necessity of those five words.

American Indians with allegiance to their tribes, despite the obvious location of their birth, did not receive U.S. citizenship until it was conferred by congressional acts in 1887, 1901 and 1924. Babies born to diplomats or their wives who happen to be in the United States at the moment of birth are not U.S. citizens.

The purpose of the citizenship clause of the Fourteenth Amendment was to assure that blacks are citizens, thus overturning the U.S. Supreme Court's infamous Dred Scott ruling that blacks could not be citizens. Congress thus rejected stare decisis in overruling that most supremacist decision in history.

The U.S. Constitution, in Article I, Section 8, and in the Fourteenth Amendment, gives all authority over citizenship and naturalization to Congress, not to the courts. Congress should end its silence and pass a law stating that a child born to an illegal alien is not a U.S. citizen because his parent has not made herself "subject to [U.S.] jurisdiction."

The peculiar notion that foreigners residing illegally in the United States should enjoy the same rights as American citizens is found nowhere in the U.S. Constitution or federal law. This anomaly was created by supremacist judges who encouraged and protected the large-scale entry of illegal aliens into the United States.

One of President Dwight Eisenhower's mistakes, Supreme Court Justice William Brennan, created a brand-new addition to the Fourteenth Amendment. The Plyler v. Doe decision struck down a Texas law

and created the requirement that the State of Texas must provide free public education to illegal-alien children.

The Plyler decision gave foreigners a powerful incentive to sneak into our country, enroll their children in our public schools, and start demanding other benefits paid for by U.S. taxpayers. This decision opened our borders to a stampede of illegal aliens, aided and abetted by one bad court decision after another.

Dual citizenship is also a problem because some immigrants have falsely been led to believe that they are or can be dual citizens. Mexico has even named a cabinet minister whose mission is to encourage Mexicans (both illegals and naturalized U.S. citizens) to vote in Mexican elections and, as he said, to "think Mexico first."

Congress has never legislated a specific prohibition on dual citizenship and the Supreme Court has never ruled on this precise point. But to become a U.S. citizen, immigrants are required by our law to swear allegiance to the United States AND to absolutely renounce any and all allegiance to the nation from which they came.

There is no ambiguity about the solemn oath that all naturalized Americans must take. "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; . . . and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God."

Any naturalized U.S. citizen who claims dual citizenship with his native country betrays his solemn oath. We want immigrants to come to America and become Americans; we want patriotic assimilation.

Congress should pass a law stating that if naturalized U.S. citizens vote, hold office, or serve in the armed forces of their native country, they forfeit their American citizenship.