

# True “Birthright” Citizenship



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This issue may become a front-burner issue in 2025 as incoming President Donald J. Trump has publicly stated that he intends to do away with “birthright citizenship” due to the misuse of the 14<sup>th</sup> Amendment to grant legal citizenship to “illegal aliens,” just because they made it across our border “illegally” to have a child, accurately referred to for decades as “anchor babies.”

Before the President addresses this very real problem in our Immigration policies, everyone needs to know what true “birthright citizenship” is, that it does not come from the 14<sup>th</sup> Amendment or any Immigration or Naturalization Code, and that it is critical to the continuation of the American way of life, freedom, liberty and justice, and our constitutional form of government.

248-years into the grand freedom and self-governance experiment known by the world as America, land of milk and honey, personal liberty and equal justice for all, we are able to see why throughout human history, “democracies” always fail, usually within 200-years.

The more our nation moves away from its foundational “constitutional republic” towards some form of a “democracy,” the closer our nation gets to the brink of collapse under the weight of dumbed-down voters led by corrupt politicians.

Now, to be clear, so long as the U.S. Constitution and Bill of

Rights remain the supreme law of this land, the USA must remain a constitutional republic, as guaranteed every citizen and member state of the union. But it doesn't take as much to undermine and destroy that foundation as you might think.

Thanks in great part to anti-American global Marxist academics in our college lecture halls, and the subsequent dumbing-down of society in government-controlled K-12 education, we now have whole generations that are completely separated from reality and the foundations of freedom. When society finds itself drifting so far off track, such as the case in the USA in the 21<sup>st</sup> century, the first step has to be a return to the basics, the fundamentals, to ensure the blessings of freedom and liberty.

#### **14<sup>th</sup> Amendment Citizenship is not "birthright citizenship."**

For many years now, our government, the courts and most citizens have believed that certain terms regarding legal citizenship are synonymous, as if there is no important difference between the terms. Many Americans have been taught to believe that [14<sup>th</sup> Amendment](#) citizenship and birthright citizenship are the same thing. But they are not at all the same.

- Natural Born Citizen
- Native Born Citizen
- Naturalized Citizen
- Birthright Citizen
- Permanent Resident – non-citizen
- Undocumented citizen (there's no such thing)

But in reality, in law, each of these terms have a different and very specific legal definition and purpose.

According to constitutional law, a [14<sup>th</sup> Amendment](#) citizen, one who acquires legal citizenship via the [14<sup>th</sup> Amendment](#) is a

“naturalized” citizen. Someone who is not a “birthright citizen,” but rather someone who is a citizen by means of legislative process, specifically, the 14<sup>th</sup> naturalization amendment and/or subsequent U.S. Immigration and Naturalization statutes created by Congress.

### **The 14<sup>th</sup> Amendment followed the 13<sup>th</sup> Amendment**

Following President Abraham Lincoln’s Emancipation Proclamation, effective on January 1, 1863, the 13<sup>th</sup> Amendment passed Congress on January 31, 1865, officially abolishing slavery and involuntary servitude, except as punishment for a crime. But the 13<sup>th</sup> Amendment failed to grant legal citizenship status to former slave families, hence the purpose of the 14<sup>th</sup> Amendment that followed, adopted on July 9, 1868, which granted legal citizenship rights to former slave families. This series of constitutional amendments were all part of “reconstruction” in a post-Civil War America, ending slavery in the USA and granting equal rights to former slaves and their families.

The original title of the 14<sup>th</sup> Amendment was “A Naturalization Amendment” using the legislative powers of Congress to grant citizenship rights to former slave families via the enumerated power of Congress “To establish a uniform Rule of Naturalization” in [Section 8 of Article I](#) of the U.S. Constitution..

Therefore, 14<sup>th</sup> Amendment citizenship is not a “birthright,” but rather a right legislated by Congress under its enumerated powers “To establish a uniform Rule of Naturalization.” All 14<sup>th</sup> Amendment citizens are “naturalized” citizens, according to constitutional law.

*Naturalization – the proceeding whereby a foreigner is granted citizenship. Naturalization is the legislative*

*legal process of granting someone who is “not a natural birthright citizen,” legal citizenship.*

Obviously, undocumented migrants, temporary or permanent residents, visitors from foreign nations, foreign citizens here on work or student VISAs, do not have any “birthright” to legal citizenship in the USA. The following two common legal arguments fall short of the 14<sup>th</sup> political agenda goal as well.

1. *“All persons born or naturalized in the United States”* – The mere event of being born in the USA does not automatically make the child a legal U.S. citizen. Millions of children are born in the USA to foreign citizens residing legally or illegally in the USA at the time of the child’s birth. Most are born citizens of their parents’ home country, despite being “born in the USA.”
2. *“subject to the jurisdiction thereof”* – Everyone in the USA, legally or illegally, citizen, resident or visitor, is “subject to the jurisdiction thereof” while in the USA. This alone, or in combination with “born on soil” does not automatically make anyone a legal citizen of the USA or establish any such “birthright.”

In fact, for the USA to lay legal claim to any child born of foreign citizens on American soil, just because they happened to be in the USA at the time of the child’s birth, would be a direct violation of International Law and Human Rights. This is because no matter where on earth a child is born, the child has a “natural birthright” to become a legal citizen of the same country to which the father is a citizen, at the child’s birth.

### **Birthright Citizenship is Natural Born Citizenship**

In [Article II of the U.S. Constitution](#), we find a few important qualifications for the office of President and Commander-in-Chief. It’s important to note that the [12<sup>th</sup>](#)

[Amendment](#) applies the same qualifications to the office of Vice President, as the VP is first in line to succeed to the Presidency in the event that the elected President is unable to serve or complete their term for any reason.

*“no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.”*

[Article II](#) states *“No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President;”*

Since no citizens alive at the time of the adoption of the Constitution remain alive today, only a “natural born citizen” is eligible for the office of President or Vice President today.

**So, what is a *natural born citizen* and why is this requirement for the highest offices in our constitutional republic so important?**

The foundational purpose of this all-important clause is to prevent Oval Office occupation by any foreigner, with dual or divided national loyalties. Since the elections of 2008 in particular, many have opined on this subject, both legal professionals and average citizens, in almost every case, driven by a political agenda.

On one side, people who are not fans of John McCain tried to disqualify McCain from seeking the Oval Office claiming that he was not “born on soil” and was not a natural born citizen eligible for the office, despite being born in Panama, the son of a U.S. Naval Commander stationed abroad in the service of our country. This resulted in a [Senate Resolution adopted by 99 of 100 U.S. Senators](#) declaring McCain eligible for the office, McCain himself abstaining from the vote. No such Senate Resolution was even considered for Barack Obama...

On the other side, those who are not fans of Barack Hussein Obama tried to disqualify Obama from the office based upon a non-citizen father and documentation suggesting he was born in Kenya, not the USA, and was in fact adopted by an Indonesian stepfather Lolo Soetoro, making him a legal citizen of Indonesia, which is exactly what his early college records confirm at Occidental, under the student name Barry Soetoro.

Since then, numerous non-natural born citizens have attempted to seek the Oval Office, using a variety of bastardized interpretations of those three simple words, *natural-born-citizen*. The following are each 14<sup>th</sup> Amendment citizens of the USA ineligible for the Oval Office, Bobby Jindal, Marco Rubio, Nikki Haley and Kamala Harris.

Further, legal records establish that Senator Ted Cruz (TX) was born in Canada, a legal citizen of Canada at the time of his birth, and according to Cruz, he has never naturalized as a legal U.S. Citizen, as proven by his Canadian Birth Certificate and no U.S. Birth Records.

**Natural** – a condition produced by nature alone

**Born** – at the time of birth

**Citizen** – legal member of society

No one seems to struggle with the word “born,” but these days, millions of Americans do seem to struggle with the terms “natural” and “citizen.”

Simply stated, “natural born citizenship” is true “birthright citizenship.” Becoming a legal citizen of society at birth as a result of being born to a legal citizen Father of society is birthright citizenship. The right passes from Father to child, as a result of “nature alone” and not a result of any legislative or legal process. Modern efforts to establish “equal rights” of men and women have convoluted the subject as well.

However, the source of Natural Rights, Natural Law, true birthrights, establish the specific source from which all natural rights pass to the newly born...

- “As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the condition of their *fathers* and succeed to all their rights.”
- “The country of the *fathers* is therefore that of the children; and these become true citizens merely by their tacit consent.”
- “I say, that, in order to be of the country, it is necessary that a person be born of a *father* who is a citizen; for, if he is born there of a foreigner, it will be only the place of his birth, and not his country.”
- “By the law of nature alone, children follow the condition of their *fathers*, and enter into all their rights (§ 212); the place of birth produces no change in this particular,”
- “The natural, or original settlement, is that which we acquire by birth (birthright), in the place where our *father* has his;”

True birthright citizenship, also known as natural born citizenship, is derived from Natural Law, the Laws of Nature, not legislative or legal processes, such as amendments to the constitution, statutes adopted by Congress, or opinions issued by courts.

The Declaration of Independence set the cornerstone of law upon “the Laws of Nature and Nature’s God,” not British Common Law based upon changing customs and altered or amended by mere court opinions.

The word “[inalienable](#)” (*not to be confused with the term unalienable*) is equally critical, when discussing foundational Rights. [Inalienable](#) means a right which cannot be alienated by

any means, including the legislative powers of government.

*"All men have certain natural rights which are inalienable; The estate of a minor is inalienable without a reservation of the right of redemption, or the authority of the legislature."*

True "birthright citizenship" is the "[inalienable](#)" right of every child to become a legal citizen of the same country in which the natural birth *father* is a member, at birth, by "[tacit consent](#)," period.

So, it isn't true "birthright citizenship" that Trump needs to eliminate. It's the abuse of the 14<sup>th</sup> Amendment and erroneous court interpretations which have allowed our nation to be invaded by foreign citizens using "anchor baby" policies never intended by the 14<sup>th</sup> Amendment, resulting in ineligible non-natural-born-citizens even seeking the highest offices in our land.

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