



OPINION: 600,000 MEN DIED FOR ANCHOR BABIES - ANN COULTER

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This Kushner-less Trump presidency is fantastic! Instead of the president's son-in-law releasing criminals, Rep. Paul Ryan prioritizing tax cuts over the wall, and Kushner pal Gary Cohn preserving Wall Street's tax boondoggles, we're finally getting all that great immigration stuff Trump ran on in 2016. (Maybe he finally read "In Trump We Trust" and remembered how fantastic he was.)

Trump's most important executive order is the one that returns to the American people the ability to determine who becomes a citizen. The way things are now, that decision is put in the hands of illegal aliens, who are here against our will and in violation of our laws or -- in the case of birth tourism -- in the hands of the Chinese government.

Apart from trivialities such as there being no law, no court ruling and no history to support treating kids born to illegals and tourists as "citizens," it's preposterous that America would cede control over who becomes a citizen to foreigners.

The media's incessant references to "birthright citizenship" -- I'm looking at you, New York Times -- deceptively suggest that the Constitution already contains a right to citizenship for anyone born here. There is no such right, and no sane nation would create one.

The constitutional provision allegedly bestowing this right is the 14th Amendment, one of the Civil War amendments, guaranteeing full citizenship rights to former slaves.

Give me a scenario -- it doesn't have to be true, give me any scenario -- where, immediately after the Civil War, Americans felt compelled to amend our Constitution so that, 100 years hence, a pregnant Mexican could run across the border, drop a kid, and that kid would be a citizen, entitled to all welfare and education benefits, who could then bring in six more relatives.

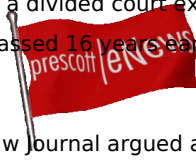
You're telling me that if a foreigner sneaks into our country and has a baby, that kid isn't already a citizen? Damn straight we have to fix that!

Obviously, the Civil War amendments were exclusively about slavery -- as the Supreme Court has repeatedly held.

The trick was to write an amendment stating that former slaves were citizens -- without acknowledging the institution of slavery, an embarrassment in a country founded on the idea that all men are created equal.

To refer to former slaves, the drafters chose the phrase "subject to the jurisdiction thereof." At that point, newly freed slaves had been "subject to the jurisdiction" of the U.S. for nearly a century. (By contrast, if we don't even know you're here, you can't be subject to our "jurisdiction.")

In one misbegotten case, *United States v. Wong Kim Ark*, a divided court extended 14th Amendment citizenship rights to the son of legal Chinese laborers. (The Chinese Exclusion Act had been passed 16 years earlier and would remain in full force and effect for another half-century. Way to read a room, Supreme Court!)



That case was probably wrongly decided -- as the *Yale Law Journal* argued at the time -- but in any event, it has nothing to do with Trump's executive order, which is about illegal immigrants and tourists, not legal residents.

One thing Wong Kim Ark definitely didn't do was grant a constitutional right of citizenship to anyone who happens to be born here. First, children born to diplomats and heads of state were excluded.

Second, well into the 20th century, white Europeans born on U.S. soil -- whose great-grandparents may have come on the *Mayflower* -- were denied citizenship if they were women married to an immigrant.

Progressives have bullied Americans into believing that the post-Civil War amendments had nothing to do with slavery. Forget the Middle Passage, Gettysburg, Ulysses S. Grant and the 600,000 men dead as a result -- they claim Americans rushed to add these amendments to the Constitution just after a bloody civil war to ensure the happiness and well-being of illegal aliens.

Like everything with the left, in five minutes, we go from the manifestly absurd to constitutional right. We had the body, we had witnesses, we had fingerprints, we had his confession. Damn -- we forgot to read him his Miranda rights! You're free to go, sir.

Similarly, under the "birthright citizenship" idiocy, enemies of the state, giant sucks on our welfare system, spies and terrorists -- "U.S. citizens" all! Just sneak past our border agents, have a baby and Ha-ha -- you didn't catch me and now my kid's a citizen!

The wife of the world's biggest drug lord, Joaquin "El Chapo" Guzman, Emma Coronel -- herself an anchor baby -- briefly left the cartel's hideout in Mexico in 2011 to give birth in California, for the express purpose of forcing this country to accept her twins as "American citizens." It's like gold chain migration.

Unfortunately for the left, Trump is not, in fact, a dictator. His executive order on citizenship is a good way to start his presidency with a bang, but given recent history, Republicans surely understand that it will be revoked on Day One by the next Democrat to sit in the Oval Office. Congress needs to make it law.

Congress unquestionably has the power to exclude anchor babies and birth tourism babies from U.S. citizenship. As legal giant Judge Richard Posner said in a concurring opinion 20 years ago, "This rule, though thought by some compelled by Section 1 of the 14th Amendment ... makes no sense. ... The purpose of the rule was to grant citizenship to the recently freed slaves ... Congress would not be flouting the Constitution if it amended the Immigration and Nationality Act to put an end to the nonsense."

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