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## Repealing Birthright Citizenship Is a Mistake America Can't Afford to Make

We need to amend immigration laws, not the Constitution.


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Senator Lindsey Graham (R-S.C.) and other congressional Republicans are floating the idea of abolishing birthright citizenship, which makes the children of undocumented immigrants automatic citizens, to decrease undocumented immigration. The negative consequences would be an affront to conservative values and vastly outweigh any imagined benefits.

Legally, there is some controversy about the birthright citizenship section of the 14th Amendment. Did it just apply to overrule Dred Scott or was it meant to extend to everyone? Excerpts from the congressional record and other sources offer no clear answer. But the courts have since said, with very few exceptions, that being born in the U.S. guarantees citizenship.

Having children in America—derisively called “anchor babies”—does not protect undocumented migrants against deportation. According to a 2010 Berkeley and Davis law school study, roughly 88,000 parents who had green cards and American born citizen children were deported after committing relatively minor offenses between 1997 and 2007. And children of undocumented immigrants generally cannot sponsor their parents for legal immigration status until they are 18 or 21 years old depending on the specifics of their case—not exactly a fast track to citizenship.

It's more likely that undocumented immigrants have

children here for less “sinister” reasons than easing their navigation of America’s byzantine and antiquated immigration laws. Perhaps undocumented immigrants just want to make sure their children have access to the greater opportunities available in the United States

Supporters of repealing birthright citizenship often note the increased costs to schools from having to educate more children. Yet if that is their main concern, the way to lessen that burden is to make it easier to immigrate legally to the United States and privatize the bloated and inefficient public school system.

Since it is so difficult and to immigrate legally into the United States—and virtually impossible for an average low skilled worker without family already in the country—many undocumented immigrants who in an earlier time would have gone back to their home countries now end up staying, and thus raising children while working in the United States.

During the age of great migration, millions of Italians temporarily worked all over the world before returning to Italy with their savings. The possibility of legal mobility always assured that they could work again overseas if the need arose. Consequently, two-thirds of Italian immigrants did not take their families with them when they moved abroad. Undocumented immigrants today don’t have that option. When they move they know it’s risky to return to their home countries so they take their families with them wherever they go. Repealing birthright citizenship would hurt America in myriad other ways.

First, if children born to the undocumented remain in legal limbo, they will have much less incentive to accumulate the human capital—skills, education—that will help them in the job market and contribute to America’s economy. As

professors Peter Rimmer and Maureen Dixon of Australia's Monash University note in a 2009 Cato Institute study, undocumented workers who are legalized make longer term investments in human capital that significantly increase their wages. After all, what's the point of investing in your education if you could be deported at any time?

Second, undocumented children would become a legal underclass, which would help perpetuate a culture of dependency.

Third, refusing citizenship will delay cultural and linguistic assimilation. Marginalizing children at a young age would force them to only deal with people in their own communities. Many will distrust outsiders, think of themselves as an oppressed underclass, and become hostile to American society at large. According to the Pew Hispanic Center, 98 percent of second-generation Hispanic Americans, who are citizens, speak English fluently. How many would bother to learn if they could be deported at any time?

Besides the emancipation of American slaves, the best thing to come out of the Civil War was the 14th Amendment.

The Republican Party can take sole political credit for that brilliant Amendment, which has aided in the assimilation of millions of immigrants over American history.

Republicans today should seek to continue that legacy and the American tradition of quickly and fully assimilating foreigners into all the positive aspects of the American economy and society. They should leave the 14th Amendment well enough alone.

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