

Amendment 14 - Citizenship Rights. Ratified 7/9/1868.

1. All persons born or naturalized in the United States, **and subject to the jurisdiction thereof**, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; **nor deny to any person within its jurisdiction the equal protection of the laws.**

2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Anchor Babies are NOT U.S. Citizens – they are ILLEGAL.

“subject to the jurisdiction thereof” means: any person born in our country must be under OUR (U.S.) jurisdiction to qualify as a Citizen.

A LEGAL immigrant or his children would be under OUR (U.S.) jurisdiction.

A citizen of some other country is NOT under our jurisdiction – especially if he is here ILLEGALLY.

“within its jurisdiction” means: All persons, including illegal immigrants, but excluding Ambassadors ONLY, are certainly subject to, and protected by, OUR Laws - while in OUR country but, that is quite another thing.

Jurisdiction:

noun

1. the right, power, or authority to administer justice by hearing and determining controversies.
2. power; authority; control: EX: “He has jurisdiction over all American soldiers in the area.”
3. the extent or range of judicial, law enforcement, or other authority:
EX: “Even though this person is not a citizen, and not under U.S. Jurisdiction, this case comes under the jurisdiction of the local police.”
4. the territory over which authority is exercised: EX: “All islands to the northwest are his jurisdiction.”

Senator Jacob Howard – the AUTHOR of the 14th Amendment

Ref: http://www.14thamendment.us/birthright_citizenship/original_intent.html

Senator Jacob Howard worked closely with Abraham Lincoln in drafting and passing the Thirteenth Amendment to the United States Constitution, which abolished slavery. He also served on the Senate Joint Committee on Reconstruction, which drafted the Fourteenth Amendment to the United States Constitution. In 1866, Senator Jacob Howard clearly spelled out the intent of the 14th Amendment by stating:

"Every person born within the limits of the United States, and subject to their jurisdiction, is by virtue of natural law and national law a citizen of the United States. This will **not**, of course, include persons born in the United States who are **foreigners, aliens**, who belong to the families of ambassadors or foreign ministers accredited to the Government of the United States, but will include every other class of persons. It settles the great question of citizenship and removes all doubt as to what persons are or are not citizens of the United States. This has long been a great desideratum in the jurisprudence and legislation of this country."

This understanding was reaffirmed by Senator Edward Cowan, who stated:

"[A foreigner in the United States] has a right to the protection of the laws; but he is not a citizen in the ordinary acceptance of the word..."

The phrase "*subject to the jurisdiction thereof*" was intended to exclude American-born persons from automatic citizenship whose allegiance to the United States was not complete. With illegal aliens who are unlawfully in the United States, their native country has a claim of allegiance on the child. Thus, the completeness of their allegiance to the United States is impaired, which therefore precludes automatic citizenship.

Over a century ago, the Supreme Court appropriately confirmed this restricted interpretation of citizenship in the so-called "Slaughter-House cases" [83 US 36 (1873) and 112 US 94 (1884)]¹³. In the 1884 *Elk v. Wilkins* case¹², the phrase "subject to its jurisdiction" was interpreted to exclude "children of ministers, consuls, and citizens of foreign states born within the United States." In *Elk*, the American Indian claimant was considered not an American citizen because the law required him to be "not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their political jurisdiction and owing them direct and immediate allegiance."

The Court essentially stated that the status of the parents determines the citizenship of the child. To qualify children for birthright citizenship, based on the 14th Amendment, parents must owe "direct and immediate allegiance" to the U.S. and be "completely subject" to its jurisdiction. In other words, they must be United States citizens.

13. U.S. Supreme Court Slaughter-House cases ("Lectric Law Library, 1873)
<http://www.lectlaw.com/files/case30.htm>

<http://anderson4theconstitution.com/14th%20amendment%20-%20and%20Anchor%20Babies.pdf>
