Written by **Wallis W. Wood** on May 27, 2010

Anchor Babies and the Illegal 14th

There are many policies of our federal government that I think are absolutely absurd. But on a long list of craziness, this may be the craziest: It is the official policy of the U.S. government that any child, born in this country to illegal immigrants, automatically and immediately becomes a citizen of the United States!

Such infants are sometimes referred to as "anchor babies," because their immediate and automatic citizenship is the "anchor" on which a host of other claims, from welfare to the citizenship of others, can be made.

On the face of it, this sounds patently absurd. How can a newborn baby be eligible for citizenship when his or her parents are not? Not merely eligible, mind you, but granted it automatically?

Many of us have grandparents or great-grandparents who overcame incredible obstacles to become citizens of this country. Before they were accepted they had to pass a rigorous and demanding test. The questions they were asked, and their answers, had to be in English.

As an essential part of the process, every immigrant was required to renounce allegiance to the country he or she had left and to swear allegiance to his newly adopted home — the United States of America. And every new citizen was thrilled to do so.

There was a solemn ceremony, often conducted by a judge sitting high on a bench above them, issuing the oath of allegiance. Friends and family welcomed the new citizens with hugs and tears and enthusiastic applause.

That is what citizenship for an immigrant used to mean. But today we are required to bestow it on anyone whose mother can sneak across our border a few hours before her baby is born. That is absolutely insane.

The new citizen is immediately entitled to all the benefits that accompany citizenship — schooling, medical care, food stamps, and other welfare and a whole host of "public assistance." Moreover, that new citizen is now entitled to invite other family members — mother and father, aunts and uncles, cousins and grandparents, nephews and nieces — to come visit them in their newly adopted country and even apply for citizenship here.

How did such utter craziness come to be accepted as the law of the land? Well, the first thing you need to know is that there is no such law.

If you ask how automatic citizenship for babies born to illegal immigrants came about you'll be told that the 14th Amendment requires it. This is a flat-out lie. But it's a lie that's been promoted by those who want to overturn the established laws and customs of our country. It's a lie that the highest officials in this country — from the White House on down — pretend is true.

Let me share some important history with you. The 14th Amendment was proposed by Congress at the

end of the Civil War. Its purpose was to make sure that newly enfranchised blacks were not denied the rights of citizenship when they returned to their homes in states that comprised the former Confederacy.

Sadly, the 14th Amendment is worded so vaguely that an activist court — spurred on by politically motivated attorneys — can interpret it almost any way it chooses. Here's the relevant section:

> 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.

But what does "subject to the jurisdiction thereof" mean? If you do a little research on the topic you'll discover that this amendment was most emphatically not meant to include the children of aliens — even if their parents were in this country legally. Lawmakers assumed that since their parents were subject to the jurisdiction of the country where they were citizens — that is, their native country — so were their offspring, no matter where they were born.

Ah, but if you do a little more research, you'll discover a secret that's been kept out of our history books for more than 100 years. There are compelling reasons to believe that the 14th Amendment was never legally adopted by a sufficient number of states to make it a valid part of our Constitution. This is why the second part of this column is called "the Illegal 14th."

First we begin with the fact that the Union position during the Civil War was that *the Southern states had never left the Union*. Oh, I'll admit that the South tried to secede. We fought a terrible war over the issue. But Abraham Lincoln refused to recognize the Confederacy as a separate, legitimate government. Instead, he fought the war to keep the Confederacy from seceding. When the North won, Lincoln was ready to welcome the South back "with malice toward none."

But if the Southern states never left the Union, then as soon as hostilities ended, those states and their citizens were entitled to all of the promises and protections of the U.S. Constitution. With me so far?

In the aftermath of the war all of the states that had comprised the Confederacy reformed their state governments, including both branches of their legislatures. (Remember, the Constitution guarantees every state "a republican form of government.")

When the Federal Congress approved the 13th Amendment abolishing slavery, and submitted it to the states, it was promptly ratified by most of the states in the former Confederacy and became part of our Constitution.

But this was not enough for the Radical Republicans (as they were called then) who controlled Congress. They wanted to punish the South. Even more important, they didn't want the Southern states sending people to Congress who would oppose their plans for Reconstruction. So they proposed the 14th Amendment.

I can find no evidence that the 14th Amendment was ever approved by a two-thirds majority of the House and the Senate as the Constitution requires. In fact, there were plenty of contemporaries back in 1878 who said it was not. Nevertheless, the Radical Republican majority approved a resolution saying it had passed and submitted it to the states.

Six states that had approved the 13th Amendment balked at approving the 14th. The legislatures of Alabama, Arkansas, Georgia, Louisiana, North Carolina and South Carolina said "no!" (So, incidentally, did New Jersey and Ohio.)

The Radicals in Washington were furious. They promptly approved a series of bills, called the

Reconstruction Acts, that divided the former Confederacy into 10 military districts. The legislatures of each state were ordered dismissed "by force of arms" and were replaced by political hacks appointed by the Federal army of occupation. Seven of these military-controlled bodies then did as they were told and "ratified" the 14th Amendment.

These "rump" governments were a far cry from "the republican form of government" that the Constitution guaranteed each state. Our Founding Fathers would have been aghast at what was done in the aftermath of that very un-civil war. And they wouldn't have agreed for a second that any "vote" by these so-called legislatures could authorize a change to the Constitution.

But change it they did. When news of these coercive measures reached Washington, Secretary of State William Seward at first refused to ratify the amendment. He was quickly brought into line by the Radical Republicans in Congress however, and on July 20, 1868, he dutifully proclaimed that the 14th Amendment was now part of our Constitution.

And here's something you probably never considered: The effects of this nefarious bit of legislative chicanery go far beyond citizenship for a few million children of illegal immigrants.

Bet you didn't know that the 14th Amendment has been used by the Supreme Court as the legal justification for banning prayer in public schools … or authorizing abortion on demand… for requiring the forced busing of children … or scores of other usurpations of power by our central government.

If you've stayed with me this far I'm sure you're saying to yourself, "Can this possibly be true? And if it is, how is it possible that the legality of the 14th Amendment has never been challenged in the courts?"

My answer to the first question is, "Yes, I believe it is true. The 14th Amendment was never legally ratified."

My answer to the second is, "I don't know." I have not been able to find any record that any federal court has ever issued a ruling on the adoption of "the illegal 14th." I can't even find evidence of the issue being raised in a lawsuit filed in a federal court.

I can understand why those who benefit from today's Goliath Government want to keep this issue swept under the heaviest rug they can find. But where have the conservative and libertarian talk shows, think tanks, advocacy groups, and tax-free foundations been for the past 50 years? Have any of them raised this issue? Written articles about it? Made even a peep of protest?

If they have, I'm not familiar with it. If you know otherwise pass share that information by leaving a comment below, because I really would like to know.

And so should every American who's concerned about the future of his country.

Until next time, keep some powder dry.

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