

The American oligarchy's attack on birthright citizenship

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The Trump administration's proposal to end birthright citizenship for all people born on United States soil, enshrined in the 14th Amendment to the US Constitution, is another milestone in the assault on democratic rights.

With this move, the American oligarchy is repudiating the basic democratic principle upon which the American republic was founded, embodied in the Declaration of Independence's proclamation that "all men are created equal." If the American president can, by executive fiat, strike out the 14th Amendment, what is to stop him from overturning the entire Bill of Rights, which guarantees free speech, protection from unreasonable search and seizure, due process, and the right to counsel, among other fundamental protections?

Trump's proposal, which comes in the final days of the midterm election campaign, is a provocation by the administration and its fascist staffers aimed at whipping up xenophobic sentiments and creating a constituency for a right-wing extra-constitutional movement. Such a movement is deemed necessary to implement Trump's pro-corporate, pro-war, anti-immigrant agenda.

The impact of rescinding birthright citizenship on the working class and on immigrants would be disastrous. It would place 300,000 infants born in the US to noncitizen parents at risk of detention and deportation each year.

It would produce an underclass of immigrant families afraid to send their children to school, give birth in hospitals, or send their sick children to the doctor's office. Millions of children would become stateless, lacking citizenship in any country. Slum districts and even walled ghettos with third world, apartheid conditions would become commonplace.

If applied retroactively, the rescission of birthright citizenship would reportedly place over 10 million people at immediate risk of deportation. Either way, the government will respond to the growth of the undocumented population with further moves toward

martial law, including the construction of more detention camps and the deployment of more immigration agents and soldiers, not only to the border but to major metropolitan areas.

As the American Immigration Council wrote yesterday, the decision "would also impose hardship on all Americans, who could no longer point to a birth certificate as proof of citizenship. If place of birth no longer guaranteed citizenship, then all Americans—not just those whose parents were undocumented—would be forced to prove their parents' nationality to the government in order to be recognized as a US citizen."

Workers and the poor would have the most difficult time tracing family heritage and would therefore be denied the right to due process, the right to vote and access to social services.

The move reveals the extent of the erosion of democratic principles within the ruling class. Nearly 20 years after the stolen election of 2000 and the launching of the "war on terror," both parties have already torn the Bill of Rights to shreds, bombing countries under false pretenses, assassinating thousands with drones, conducting torture, mass surveillance and mass deportations.

The Democratic Party and the pro-Democratic corporate media have either supported Trump's birthright citizenship rescission or deliberately downplayed it.

Democratic Senator Joe Donnelly of Indiana announced yesterday that he was supportive of the repeal of birthright citizenship, while Democratic Senator Claire McCaskill of Missouri told CNN, "I support the president 100 percent doing what he needs to do to secure the border."

NBC reported that Bernie Sanders, speaking Tuesday at a campaign rally for a Democratic Senate candidate in Maryland, deliberately avoided referencing Trump's attack on birthright citizenship.

The day before, Sanders downplayed the danger of the

extreme right, denouncing those who attempted to link Trump's fascist rhetoric with Saturday's shooting of 11 Jewish people at the Tree of Life synagogue in Pittsburgh. "I'm not going to sit here and blame the president" for the shooting, Sanders said.

Of the 28 editorials and op-eds featured on yesterday's online editions of the *New York Times* and *Washington Post*, just three addressed Trump's attack on birthright citizenship.

Of those, one *Post* op-ed by George Conway and Neil Katyal offered the soporific that Trump's move will "undoubtedly" be stopped by the courts, while the other, by Megan McArdle, defended Trump, claiming it is "offensive lunacy" to say his moves against immigrants have anything to do with fascism or dictatorship. "It is nonsense to argue this way, and the left-wing folks ought to knock it off," she wrote.

The response of the Democratic Party and Democratic Party-aligned newspapers proves that this faction of the financial aristocracy is just as hostile to democratic rights as Trump and the Republicans, although they have different priorities.

While the Republicans and Trump seek to instigate backward elements of the population to create a pogrom atmosphere against immigrants, the Democratic Party's chief aim is to work with the military-intelligence agencies and tech companies to censor the Internet and gag any political views that the corporations and the CIA deem "non-authoritative."

Replace "foreign meddling" and "Russia" with "immigrant invaders" and "bad hombres" and the right-wing hysteria promoted by the Democrats and Republicans becomes indistinguishable. In both cases, the most vicious attacks on democratic rights are justified by endless warnings of threats to "national security."

Birthright citizenship is enshrined in the 14th Amendment of the US Constitution, passed by Congress in 1866 and ratified by three-fourths of the states just over 150 years ago, on July 28, 1868.

The amendment begins with the words, "All persons born or naturalized in the United States...are citizens of the United States," and goes on to establish that, bound up with this right, no state can "deprive any person of life, liberty, or property, without due process of law."

Defending his proposal, Trump tweeted yesterday, "This case will be settled by the United States Supreme Court."

The "case" of birthright citizenship was already settled—by a Civil War that claimed the lives of over

600,000 people. As President Abraham Lincoln explained in his 1863 Gettysburg Address, the war, which lasted from 1861 to 1865, tested whether a nation "dedicated to the proposition that all men are created equal...might long endure."

The 14th Amendment is known as one of the three "Civil War amendments." Along with the 13th Amendment, which banned slavery, and the 15th Amendment, which guaranteed adult men the right to vote, the Civil War amendments enshrined in law what the Grand Army of the Republic accomplished in fact.

The birthright citizenship clause of the 14th Amendment rejected the conception that rights and citizenship derive from blood, race or noble status. It was specifically a response to the notorious 1857 Supreme Court decision in *Dred Scott v. Sandford*, which ruled that persons of African descent were not citizens and could not exercise basic rights such as the right to due process.

The ultimate target of this and related moves is the American and international working class. Amid rising social inequality, a growing strike movement and broad disillusionment with the political establishment, those truths the bourgeoisie once held in its revolutionary era to be "self-evident" it now loathes as incompatible with its drive for corporate profit and world military domination.

The right to free speech and the right of immigrants to enjoy citizenship and its associated rights on US soil—alongside all other democratic rights—can only facilitate, in the eyes of the ruling elite, the unification and education of the world working class, laying the basis for what they fear most—socialist revolution and the expropriation of their wealth for the benefit of mankind.



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