

Immigration Act of 1921. America's engagement of these issues often occurs during periods of national distress. The current economic crisis and the fears engendered by the challenges to homeland security, be they real or imagined, inform the current debate. Unfortunately, the discussion of such issues is often attended by references that reflect racism and nativist bias.

Eric Foner, a historian and civil rights expert, is a strong proponent of birthright citizenship. He believes that all children born in the United States, regardless of the status of their parents, should be granted this constitutional right. Foner reviews relevant constitutional and legal support for birthright citizenship and finds that this policy is firmly grounded in the law. To Foner, birthright citizenship is supported by the Equal Protection clause of the Fourteenth Amendment of the U.S. Constitution. Further, he states that "the Supreme Court has consistently ruled that birthright citizenship applies to every American-born child and equal protection of the laws to citizens and noncitizens alike."

Professor Foner believes that the willingness of America to accept and assimilate immigrants is a positive testament regarding the nation's culture and values. He also embraces the notion that favorable policies toward immigrants, including birthright citizenship, have contributed much to overcoming the troubled legacy of slavery and related toxic dimensions of the American experience.

George F. Will, a popular conservative commentator and newspaper columnist, presents an argument in opposition to granting birthright citizenship to the children of illegal immigrant parents. He is concerned that this policy offers positive incentives to illegal immigration. Denying birthright citizenship to such children would make a contribution to the lessening of illegal immigration to the United States in the minds of thinkers such as George F. Will. He argues that there is no legal or constitutional impediment to the passage of legislation by the Congress of the United States that would put an end to this practice.

Will bases the substance of his argument primarily on the writing of Professor Lino Graglia of the University of Texas Law School. Thus, he has concluded that the granting of birthright citizenship to children of undocumented immigrants based on the first clause of the Fourteenth Amendment is flawed policy. He states that to employ this clause in such a manner reflects a misinterpretation of this language.

He notes, "If those who wrote and ratified the 14th Amendment *had* imagined laws restricting immigration—and had anticipated waves of illegal immigration—is it reasonable to presume they would have wanted to provide the reward of citizenship to the children of the violators of those laws? Surely not."

As is the case with most conservatives, George F. Will believes that immigrants are a burden to the nation (see issues, "Do Recent Immigration Trends Challenge Existing Ideas of America's White Identity?" and "Does Bilingual Education Contribute to the Educational and Social Advancement of Latinos?"). In the NO selection, he articulates a specific concern with immigrants taking advantage of our social welfare system. He is likely to agree with those who view immigrants as a source of cultural degradation, crime, drug abuse, and other social problems.

The United States continues to be challenged by issues of multiculturalism and diversity, including immigration and birthright citizenship. These challenges and the ensuing conflicts that they generate continue to exist despite the fact that the United States is increasingly a multiethnic, multiracial nation. Demographers anticipate that by 2042 people of color collectively will comprise a majority of the population of the United States. Los Angeles has already crossed this threshold. These changing demographics within the American population pose serious challenges for the nation's future.

The issue of birthright citizenship has arisen at a time when immigration has emerged as one of the primary social and political issues confronting the nation. It was a major focus of the debates within the 2012 presidential campaign. Today immigration is even more of a focused debate as the nation deals with securing U.S. borders, and how to address the millions of undocumented immigrants already in the United States. Specifically, young people being brought to the United States by their parents. Restrictive immigration laws have been passed by state legislators and local governments across the nation, and more states are considering such initiatives. It is one of the most divisive issues that confronts the nation today. In light of its political implications, students should locate their treatment of this issue within the larger issues of immigration reform. Further, students should consider the impact the denial of citizenship to children of undocumented immigrants poses for American family values.

