

## November 2<sup>nd</sup>, 2018 Sample Current Affairs

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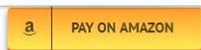


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## **1. Ending Birthright Citizenship: Any move on citizenship is sure to be challenged in US courts**

- What is birthright citizenship?**
- What is the 14th Amendment?**
- What is the connection between birthright citizenship and immigration?**
- Can Trump end birthright citizenship by executive order?**
- Do other countries have birthright citizenship?**

**GS paper 2 (Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora)**

**In this video, you can find detailed answers for all the above questions.**

**The above article has been retrieved from:**

Anil Swarup. ( 2018, November , 01). Any move on citizenship is sure to be challenged in US courts. Hindustan times. Retrieved from <https://www.hindustantimes.com/editorials/any-move-on-citizenship-is-sure-to-be-challenged-in-us-courts/story-0OY3YJhyuX81775LehAkSL.html>

**What is the context about?**

- United States President, Donald Trump, has pledged to end birthright citizenship.**

- It is the latest salvo in his ever-expanding drive to crack down on illegal immigration.
- To accomplish the idea, Mr. Trump would have to find a way around the 14th Amendment to the Constitution.

### **What is the 14th Amendment?**

- The 14th Amendment, which grants citizenship to anyone born on U.S. soil, was ratified in 1868 after the Civil War so that recently-freed slaves could become citizens.
- The amendment reads, “all person 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.”

### **What is birthright citizenship?**

- Birthright citizenship, or jus soli, a legal term that means “right of the soil,” is the right guaranteed by the 14th Amendment, and upheld by the Supreme Court, that says anyone born on U.S soil is automatically a citizen.

### **Why did the concept of citizenship by birth right arise?**

- Citizenship was a central question left open by the original Constitution.
- At the time it was written, the Constitution assumed citizenship, but it didn't provide any rules for it.

- ❑ Meanwhile, the US Supreme Court's ruling in the Dred Scott case, named for a slave who unsuccessfully sued for his freedom, has since been widely condemned.
- ❑ Thus, the 14th Amendment was designed to overturn this decision and define citizenship once and for all, and it was based on birth right.

### **What is the connection between birthright citizenship and immigration?**

- ❑ In 1898, 30 years after the 14th Amendment was adopted, the Supreme Court reached a defining decision in an important case .
- ❑ Asian immigrants were the first immigrants to the US that couldn't be considered white. So they are treated differently. They are taxed differently, they are stripped of many rights. So, the main question of the case was, could a person born in America be a citizen in a place where his parents could not be as well? The Supreme Court decided yes, and the case remains the first defining legal decision made under the banner of birthright citizenship.

### **Can Trump end birthright citizenship by executive order?**

- ❑ Most legal scholars agree that President Trump cannot end birthright citizenship with an executive order.
- ❑ He's doing something that's going to upset a lot of people, but ultimately this will be decided by the courts.

- ❑ That could lead to a lengthy court battle that could ultimately wind up at the US Supreme Court.

### **Do other countries have birthright citizenship?**

- ❑ Trump falsely claimed that the United States is the only country that has birthright citizenship.
- ❑ In fact, more than 30 countries - including Canada, Mexico, Malaysia and Lesotho - practise automatic "jus soli", or "right of the soil" without restriction.
- ❑ Other countries, like the UK and Australia, allow for a modified version where citizenship is automatically granted if one parent is a citizen or permanent resident.