

A Reader Says

Trump can't change 14th Amendment

The putative front-runner for the Republican nomination for the presidency, one Donald (“Mexicans are rapists”) Trump is now taking aim at the U.S. Constitution by claiming that the 14th Amendment is “unconstitutional.” (How an adopted amendment to the Constitution can ever be thought to be “unconstitutional” is beyond belief and reason, but then so too are many of Trump’s bombastic epithets.)

Now even Bill O’Reilly, not known for his liberal views on any subject, has not bought into Trump’s ridiculous assertion and told the one-time Democrat who now claims to be a conservative, that “if you are born here you are a citizen, period.”

To this very true statement Trump said that a number of legal scholars have said otherwise.

The only noted person about whom I have read who backs up Trump’s perverted idea is one Ann Coulter, and

she is far from being a constitutional scholar.

The only decision by the U.S. Supreme Court that bears on the question as to whether all people born in this country are U.S. citizens is *United States v. Wong Kim Ark* decided in 1898.

Wong Kim Ark, who was born in San Francisco to Chinese parents around 1871, had been denied re-entry to the United States after a trip abroad, under a law restricting Chinese immigration and prohibiting immigrants from China from becoming naturalized citizens. He challenged the government’s refusal to recognize his citizenship, and the Supreme Court ruled in his favor, holding that the citizenship language in the 14th Amendment encompassed essentially everyone born in the U.S. — even the U.S.-born children of foreigners — and could not be limited in its effect by an act of Congress (which “The Donald” claims could be done).

It should be noted that this was the same Supreme Court which, two years earlier, had declared that it was perfectly constitutional for states to separate whites and African-Americans in schools and all other public spaces in the infamous *Plessy v. Ferguson* case; thus that Supreme Court was far from a liberal body, but did uphold the right of all people born in this country to claim citizenship.

Thus if Trump is serious about challenging the 14th Amendment, he will have to try to get the Constitution amended and this would take many, many years of painstaking effort, something Trump avoids like the plague.

Once again this episode shows that this one-time supporter of abortion and supporter of Hillary Clinton continues to spout nonsense and say things which bear no semblance of reality and can never be realized.

— *Donald L. Singer, Redlands*