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Should the USA Make Legal Those Illegal Immigrant Parents Who Have Children Born in This Country (Who by Law Are Legal)?

 According to the Library of Congress, the 14th amendment to the constitution it grants citizenship to “all persons born or naturalized in the United States”. By this law, children born in the US whose parents are illegal immigrants are legal US citizens. According to the immigration laws these children can petition for their parents to be legalized when they turn 21. With the growing population of illegal immigrants’ children almost doubling according to a report used in the USA Today article Most Illegal Immigrants’ Kids Legal. The question of whether or not this should be happening has sparked a lot of controversy. This paper will talk about a few pros, like how this would keep families together and help our economy and cons like over population and just having babies to gain legalization. I will try to at this using a few ethical theories: consequential utilitarianism or normative (law). This issue has impacted our country greatly today, because everyone uses different theories to justify one way or the other. Also it has sparked racial profiling towards the Hispanic community. It has sparked a debate over whether there should be a change in the 14th amendment. As far as our culture this has made many people see a culture to be damaging, even though our country is made up of different cultures.

 According to the article in the USA Today, U.S. sees rise in children born to Illegal Immigrants, “The total number of children in the USA born to illegal immigrant on U.S. soil jumped to 4 million in 2009, up from 2.7 million in 2003.” When we look at this issue by the theory of normative law, immigration laws allow these children to have the opportunity to petition for their parents once they turn 21. Douglas Massey, a sociology professor at Princeton University, who is in favor of legalizing immigrants, says that “That way, . . . the taxes paid by newly legalized residents could be used to fund public services they use, such as education and health care.”

Those who oppose the right for illegal immigrants’ parents to be made legal by way of their children also generally are against the children being granted citizenship based on their birth or the 14th amendment. According to the article in the USA Today some legislators “are calling for a revision of the 14th amendment that grants citizenship to anyone born in the United States.” Many fear that immigrants are having babies just for this specific purpose. Which an article in the Bloomberg Business, The Case for “Anchor Babies” and Immigrant Integration, calls these babies “anchor babies”. Bob Dane, a spokesman for the Federation for American Immigration Reform, told USA Today that he calls this “corruption of the rule of law.”

A consequential utilitarian might see this issue and figure out what result is better. According to a journal by Marjorie Valbrun, a staff writer for America’s Wire, “When undocumented immigrant parents are deported by US authorities, their children are often remanded to foster care.” She goes on to say that while the parents are being held in prison, they loose or forfeit custody of their children without even knowing. Valbrun mentions a case of a Guatemalan woman whose parental right were terminated by the court on the “grounds that she had abandoned the baby.” These parents are being penalized for not going to the court meetings in family court. In Valbrun’s journal she states that “A recent report by the Applied Research Center (ARC), a national racial-justice think thank, found that when immigration enforcement methods intersect with the child welfare system, consequences for immigrant families can be devastating and long-lasting.”

Those who oppose legalization of illegal immigrant parents, use the consequentialist thought that this will promote more immigrants to come to our country illegally and have “anchor babies. This would cause the population to be over whelming. This will also raise taxes to be able to pay for assistance that the children gain. These would also suggest that instead of having the children go to foster care that they should be deported along with their parents in other for them to stay together.

With the growing population of illegal immigrants’ children growing more and more. The controversial question of whether or not this should be happening is sparked. The 14th amendment to the constitution it grants citizenship to “all persons born or naturalized in the United States”. This means that, children born in the US whose parents are illegal immigrants automatically are legal US citizens. At the age of 21 the immigration laws allow these children to petition for their parents. This paper talked about a few pros, like how this would keep families together and help our economy. It also looked at a few cons like over population and just having babies to gain legalization. Consequential utilitarianism or normative (law) were two theories I used to show these points of views. Also how this issue has impacted our country greatly today. So much that it has the country debating whether there should be a change in the law, that is the 14th amendment. Based on the two different theories to justify one way or the other. As far as our culture this has made many people see the Latin culture to be damaging, even though our country is made up of different cultures. This also leads some to racial profiling towards the Hispanic community.

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