

Aim: Why has the issue of birthright citizenship been controversial throughout American history?

- Do Now: Why do you think the Supreme Court had a different opinion regarding citizenship rights in *Cherokee Nation v Georgia* (1831) as opposed to *United States v. Wong Kim Ark* (1898)?

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- **14th Amendment** - (1868)
 - Established birthright citizenship
 - Overturned Dred Scott v. Sanford (1857)
- **Cherokee Nation v. Georgia (1831)**
 - Native American tribes cannot use federal courts
 - Native Americans are not citizens of the U.S. or a foreign nation
- **Wong Kim Ark v. United States (1898)** - 6-2 decision
 - **jus soli** “right of the soil” — the citizenship of children born in the United States to non-citizens.

Ending Birthright Citizenship?

Recently, President Trump spoke of the 14th Amendment's citizenship clause. Trump said that he wants to end birthright citizenship. Why? Do you believe any person born on American soil ought to automatically receive citizenship? Explain.

- Should the government, for any reason, have the right to take away an American's citizenship?

Trop v. Dulles (1958)

- **Supreme Court Decision (5-4):** Citizenship is not a license that expires upon misbehavior. It can only be voluntarily renounced by express language and, or, conduct.

- ([play clip](#)).