



## US ENDS CITIZENSHIP BY BIRTH: INTERNATIONAL RELATIONS

**NEWS:** *U.S. President Donald Trump's Executive Order to revoke **jus soli** (birthright citizenship) represents a significant shift in U.S. immigration policy, impacting global mobility trends and international relations.*

### WHAT'S IN THE NEWS?

#### Implications

##### 1. Direct Impact on Indian Professionals in the U.S.

- Thousands of Indian professionals on temporary visas (H-1B, L-1) and their families are directly impacted.
- Families planning to have children in the U.S. face significant uncertainties, as children born in the U.S. will no longer automatically gain citizenship.
- This could discourage long-term settlement plans and reduce the U.S.'s attractiveness as a destination for skilled Indian workers.

##### 2. Global Mobility and U.S. Workforce Demographics

- Restricting birthright citizenship will alter global mobility trends, especially among professionals from India and other countries.
- U.S. may face long-term workforce challenges as fewer foreign professionals seek to relocate due to policy uncertainty.
- Potential demographic shifts could reduce diversity in the U.S. workforce.

#### Impact on BRICS Nations

##### 1. Proposed 100% Tariff on BRICS Nations

- Trump threatened steep tariffs as a reaction to BRICS exploring non-dollar trade mechanisms, which could destabilize trade relations.
- The aggressive tariff proposal may:
  - Undermine efforts to promote economic diversification and non-dollar trade.
  - Push BRICS nations to accelerate alternative financial systems.

##### 2. Criticism of Remarks

- Trump's inclusion of Spain as a BRICS nation demonstrated a lack of understanding, attracting widespread criticism.
- Misstatements risk damaging U.S. credibility and create unnecessary diplomatic friction.

##### 3. Risk to U.S.-India Relations

- India, a key BRICS member, could see strained trade relations due to heightened tariffs and restrictive policies.
- May force India and other nations to explore new trade partnerships and currency systems, reducing dependency on the U.S.



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## U.S. CITIZENSHIP BY BIRTH

### Born on U.S. Land

Children born on U.S. land obtain U.S. citizenship through the land itself which means the child's parents do not need to be U.S. citizens (children of diplomats are not qualified)

### Born Overseas to U.S. Citizen Parent(s)

Children born to U.S. citizen parent(s) overseas can obtain U.S. citizenship through 1 or 2 U.S. citizen parent(s) (parent can be a born or naturalized U.S. citizen)

- Born to married couple of 2 U.S. citizens
- Born to married couple of 1 U.S. citizen and 1 noncitizen
- Born to unmarried couple of 1 U.S. citizen and 1 noncitizen

\*Adopted children (or orphans) can qualify but not step-children

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## Immigration Crackdown

### 1. Targeting Undocumented Immigrants

- Trump's administration estimated **7.25 lakh undocumented Indians** in the U.S., with around **18,000 Indian nationals already on a "final list for removal."**
- Deportations and restrictions disproportionately impact vulnerable groups, creating fear and uncertainty among the Indian diaspora.

### 2. Broader Implications of Immigration Policies

- The crackdown adds to the perception of the U.S. becoming less welcoming for immigrants.
- Indian-origin communities may face social and economic disruptions due to sudden deportations or visa restrictions.

## Global and Bilateral Reactions

### 1. India's Diplomatic Engagement

- **Agenda for Discussion:**
  - India's External Affairs Minister S. Jaishankar will meet U.S. Secretary of State Marco Rubio to address bilateral challenges.



- Strategic priorities under the Quad will also be a focal point, particularly concerning trade, immigration, and regional security.
- India is expected to raise concerns about policies affecting Indian professionals and families in the U.S.

## 2. Global Economic Concerns

- Proposed tariffs on BRICS nations risk escalating trade tensions globally.
- Undermines efforts for a multipolar financial system as BRICS nations explore reducing dependence on the U.S. dollar.
- Emerging economies, including India, may need to devise alternative trade strategies to counter potential U.S. sanctions.

## Birthright Citizenship

- The 14th amendment to US constitution states that “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are the citizen of United States and of the state wherein they reside.”
- The 14th amendment was passed by Congress in 1866 after the Civil War and was adopted in 1868 after ratification from 3/4th states.
- 14th amendment was aimed at giving citizenship rights to former slaves and their descendants.
- This amendment has been interpreted to give children born in the US, even to non-citizens and unauthorized immigrants, the right to US citizenship.
- Two exceptions to this right are the children born to enemy aliens or children of Diplomats posted in the United States.

## Anchor Babies

- Anchor babies are children born to non-citizen residents in a country with birthright citizenship.
- Such children are citizens of that country by virtue of their birth and hence can sponsor the citizenship of their parents after they have become adult.

## Jus Soli

- Jus Soli (Latin: Right of the soil) means a rule that the citizenship of a child is determined by the place of its birth or simply, birthright citizenship.
- More than 30 countries subscribe to the principle of jus soli. Jus soli is law in Canada, the United States and almost all countries in South and Central America.
- In Europe, 8 countries (Belgium, Finland, France, Greece, Italy, Netherlands, Spain, and the United Kingdom) have strong jus soli dispositions, where children born from foreign parents can acquire nationality quite easily (for example, in France, with a 5 years residency condition).

## Implications for Indian Diaspora

### 1. Fear and Uncertainty



- Indian expatriates face instability, with deportation fears and restrictions creating social and economic uncertainty.
- Families planning long-term settlement in the U.S. face challenges regarding legal status and citizenship for their children.

## 2. Impacts on Skilled Migration

- Policy changes could discourage Indian professionals from choosing the U.S. as a destination, impacting the inflow of highly skilled talent.
- May lead to a brain drain reversal, with Indian professionals seeking opportunities in Europe, Canada, or emerging markets.

## Broader Context

### 1. Domestic Political Implications in the U.S.

- Trump's decisions align with his "America First" agenda and could consolidate support among his conservative base.
- Legal challenges and lawsuits over the Executive Order could dominate the political discourse, influencing upcoming elections.

### 2. Geopolitical Dynamics

- The U.S.'s stance on immigration and tariffs heightens tensions with BRICS nations, including key players like India and China.
- Countries may accelerate the development of alternative trade and currency systems, potentially reducing the dollar's global dominance.

## Way Forward

### 1. Legal Resolution

- The U.S. judicial system will determine the constitutional validity of the Executive Order.
- The **Boston lawsuit** will serve as a precedent for interpreting the scope of birthright citizenship.

### 2. Diplomatic Engagement

- India must strengthen ties with the U.S. to mitigate the fallout of new policies.
- Leveraging Quad and other multilateral forums to address shared concerns on economic and security challenges is critical.

### 3. Strategic Adjustments for Indian Professionals

- Policymakers must explore alternative immigration pathways to reduce dependence on the U.S., including bilateral agreements with other countries.
- Promoting domestic economic opportunities can help retain Indian talent and reduce reliance on foreign employment.

**Source:** <https://www.thehindu.com/news/international/us-president-donald-trump-declares-end-to-birthright-citizenship/article69124661.ece>