

Kamala Harris' Birthright Citizenship Has Already Spiraled Into a Racist Controversy

No, it's not an issue, and yes, the controversy is racist.

Reproduced for educational purposes only. Fair Use relied upon.

By [Jenny Hollander](#) Aug 11, 2020



GETTY IMAGES

Of course, that hasn't stopped certain people from debating this particular point—particularly, narrowing down the definition of natural born citizen. Courtesy of a commentary piece on the *San Antonio Express News*: "As a constitutionalist, I believe the definition of a natural-born citizen is one who was born on American soil of two parents who were American citizens at the time of their birth." This pulls from information in a book the framers of the Constitution used (information that, it should be noted, did not make it into the Constitution).

The piece continues: "Based on the information I have found, neither of Sen. Kamala Harris' parents were American citizens at the time of her birth. Therefore, I believe it is impossible for her to be a natural-born citizen, which is one of the requirements to be president."

But, to be fully clear here, by the definition currently written in the Constitution, Harris is eligible to be president. Changing or expanding the current wording just to invalidate her seems...let's call it excessive. But this kind of attempt to create "disqualification on a technicality" helps spread of misinformation around Harris's citizenship and her run for president.

Which brings me to "birtherism," a term that you might remember came out of Trump slinging falsehoods at then-candidate Obama over and over again in 2008. Trump, it should be noted here, was not even a politician at the time, merely a real-estate mogul and reality TV star who decided to declare that Obama was not eligible to be president, spreading lies about his place of birth that were categorically false. But Trump's conspiracy theory thrilled an army of right-wingers. Even after Trump rescinded the comment in 2016, they continued to attack America's former First Family for being "ineligible," which is just a euphemism here for "not white."

Update, 8/11/20: Although Kamala Harris' 2020 presidential bid was unsuccessful, she's already made history. On August 11, presumptive vice presidential nominee Joe Biden announced that his running mate—and, should he be elected president, his vice president—would be Harris, after weeks of rumors about who Biden, a former vice president himself, would pick. But although Harris is no longer running for president, she's running for one of the most important offices in the free world—vice president of the United States—and the racist attacks that dogged Harris while she was running for president will no doubt continue to follow her throughout the rest of 2020 and beyond. Below, a history of the attacks on Harris' eligibility for running for office, and the questions people have raised about her citizenship (spoiler: they're bogus).

Original post, 6/25/2019: In the days after acclaimed prosecutor, seasoned politician, and woman of color Kamala Harris announced her bid to become president in 2020, the racist attacks on Harris' eligibility began. "Kamala Harris is NOT eligible!" cried right-wing activist Jacob Wohl on Twitter. The only technical requirements a presidential candidate must meet are that he or she is 1) a natural-born citizen of the United States, 2) a resident for 14 years, and 3) 35 years of age or older. Wohl was claiming that Harris is not, in fact, a "natural-born American" (which we'll get into shortly).

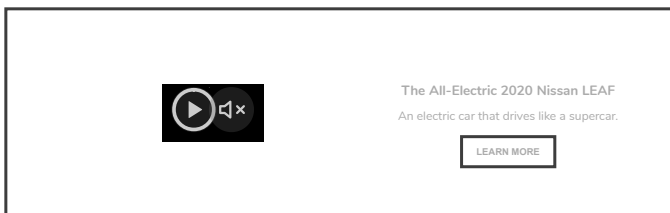
But let's break this down once and for all: Kamala Harris has birthright citizenship, and in the United States, that makes her eligible to run for president. (She's also deeply qualified to run for president, for what it's worth, but unlike the status of her citizenship, that isn't encoded in the Constitution.)

Speaking of the Constitution, let's start there. Per the Fourteenth Amendment, Section 1, which was added in 1868:

All persons 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.

In other words: **If you are born in America, you are an American.** That's the way America works, and has been working for more than 150 years. (Interestingly, the U.S. is one of only a handful countries that upholds birthright citizenship, but that's neither here or there when it comes to Harris.)

ADVERTISEMENT - CONTINUE READING BELOW



The All-Electric 2020 Nissan LEAF
An electric car that drives like a supercar.

LEARN MORE



Bernie Sanders Has Dropped Out of the Race

By all means, people will and should provide plenty of reasons why they don't want Harris to be president. That, too, is enshrined in the Constitution—a right to a democratic electoral process. Say what you want about her—freedom of speech, too, is enshrined in the Constitution—but please make no mistake: To say that she may not be eligible for president is wrong. **This is a fact.**

JENNY HOLLANDER Director of Content Strategy

Jenny is Marie Claire's Director of Content Strategy, editing and writing about everything from politics to reality television to accessories and celebrity news.

Watch Next

MORE FROM
COUNTDOWN TO THE 2020 PRESIDENTIAL ELECTION

Where Kamala Harris Stands on Gun Control

Your Guide to What to Expect at the DNC This Year

ADVERTISEMENT - CONTINUE READING BELOW



Kamala Harris Is Married to Her Number One Fan

Kamala Harris's Mom Inspires Her Every Day

The Best Celebrity Reactions to Biden-Harris News

Kamala Harris' Attorney General History, Explained

[Other Hearst Subscriptions](#)

[Give a Gift](#)

[BestProducts](#)

[Events & Promotions](#)

[Giveaways](#)

[Quizzes](#)

Hearst Fashion and
Luxury Collection - A
Part of Hearst Digital
Media

A Part of Hearst Digital Media

Marie Claire participates in various affiliate marketing programs, which means we may get paid commissions on editorially chosen products purchased through our links to retailer sites.

©2020 Hearst Magazine Media, Inc. All Rights Reserved.

[Privacy Notice](#) [Your California Privacy Rights](#) [Interest-Based Ads](#) [Terms of Use](#) [Site Map](#)

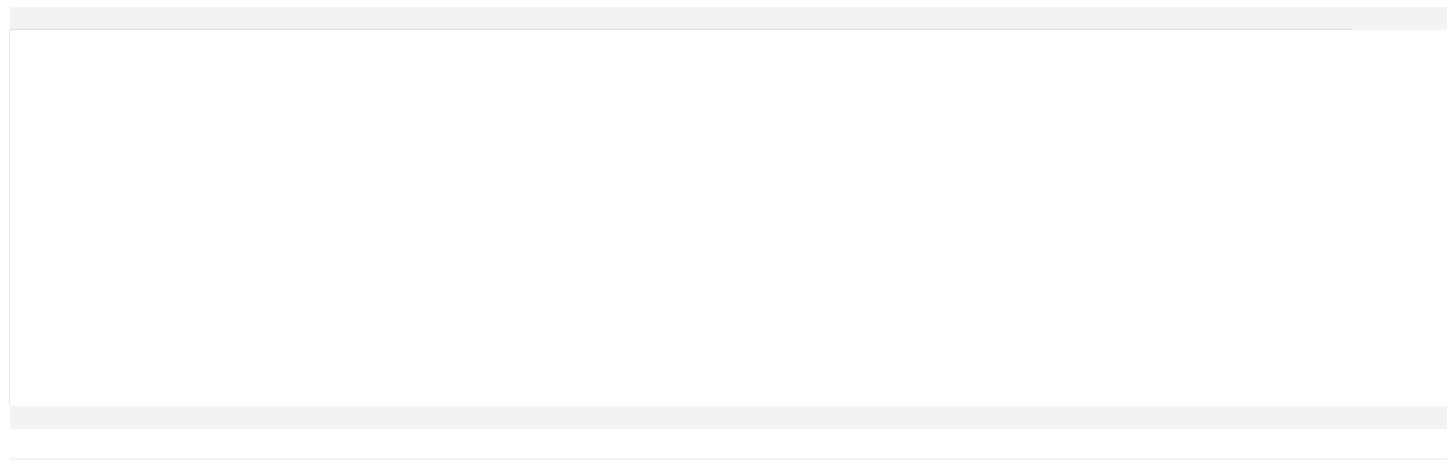
[Do Not Sell My Info](#)

Who Is Donald Harris, Kamala Harris's Father?

Twitter Reacts to Kamala Harris VP News

You've Been Pronouncing Kamala Harris' Name Wrong

Joe Biden Announces Kamala Harris as His VP Pick



COUNTDOWN TO THE 2020 PRESIDENTIAL ELECTION

POLITICS

WHO IS DONALD HARRIS, KAMALA HARRIS'S FATHER?

YOU'VE BEEN PRONOUNCING KAMALA HARRIS' NAME WRONG

KAMALA HARRIS'S MOM INSPIRES HER EVERY DAY

KAMALA HARRIS CUT-OFF BY A MAN ON SENATE FLOOR

KAMALA HARRIS IS MARRIED TO HER NUMBER ONE FAN

WHERE KAMALA HARRIS STANDS ON GUN CONTROL

marie claire



Newsletter

About Us

Press Room

Community Guidelines

Customer Service

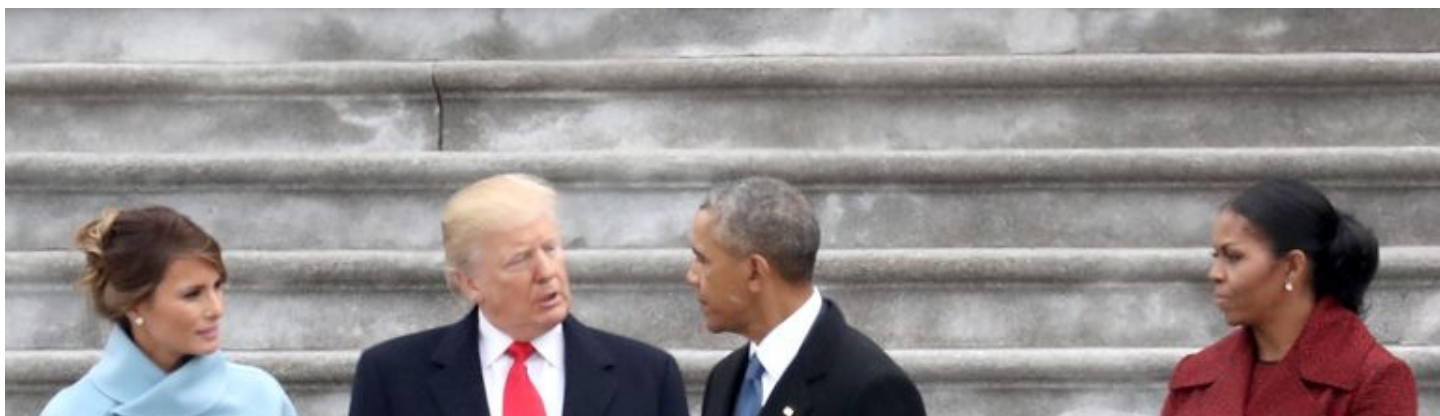
Digital Editions

Media Kit

Contact Us


Advertise Online


Subscribe



Getty Images

ADVERTISEMENT - CONTINUE READING BELOW





The All-Electric 2020 Nissan LEAF

Thrills you can depend on.

LEARN MORE

The "birtherism" controversy surrounding Obama—if "controversy" is the right term for a bigoted conspiracy—is grounded in racism. It always has been. This is also the case with Harris, who in January became the first black woman to announce she's running for president in 2020—and (surprise!) also became the first woman in the 2020 race to be hit with allegations that she's "ineligible." **Birtherism is a lie designed to perceive Americans of color as "un-American."**

Let me be as clear as possible: Kamala Harris was born in the United States (Oakland, California to be exact), thus making her a citizen. Her parents were both immigrants—her mom from Chennai, India, her dad from Jamaica—and when they divorced, Harris spent her teenage years in Canada before returning to the U.S. for college. These are all facts that have no bearing on Harris' citizenship, but I mention them to explain why Harris, and only Harris, is being subjected to "birther" claims. Her parents are immigrants, and Harris herself is a woman of color, and even though conservatives routinely tout a route to citizenship as the American Dream writ large, a slice of the American population believe these facts make Harris too "other" to be their president.

RELATED STORY