

ELCTION 2016: Is Ted Cruz Eligible to Run for President of the United States?

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Abstract: *The office of President of the United States is one of the most important positions in the country. The Commander in Chief is in charge of the most powerful military complex, the most affluent nation and must make decisions that will drastically affect the domestic and global community. The power bestowed upon the President and the trust they must earn from the American people, demonstrates the importance that each candidate fulfills the requirements outlined in the Constitution. While most of the conditions necessary for one's presidential candidature defined in the Constitution are clear, the specific phrase, "natural born citizen," contains much ambiguity and has continued to be a source of conflict during presidential elections. This ambiguity extends to the current presidential candidate Ted Cruz, who was born in Alberta, Canada in 1970.*

I. INTRODUCTION

The Constitution of the United States does not delineate many conditions for the office of President. Article II Section I of the Constitution outlines that elections for President will be held every four years, that candidates must be at least thirty-five years old, and have lived in the United States for at least fourteen years.¹ Most importantly however, it states that, "No person except a natural born Citizen... at the time of the adoption of this Constitution, shall be eligible to the Office of President."² This particular language is deliberately ambiguous, as the Founders wanted to allow for almost anyone to be able to run for public office without significantly limiting the potential of citizens to participate in the public sphere. While the Constitution never truly defines the term natural born, and the Founders wanted it to be enigmatic, the office of the President still denotes the highest importance. Ensuring that candidates are natural born citizens guarantees a level playing field for the most important political office in the country; but more importantly, guarantees that there is no conflict of interest between the candidate and their true country of origin. Just as the Constitution does not define the term natural born, neither has the United States Supreme Court. In the cases, *Inglis v. Trustees of Sailor's Snug Harbor*, *Minor v. Happersett*, and *United States v. Wong Kim Ark*, the Supreme Court was asked to elucidate the meaning of citizen, and while these cases provide an important historical precedent, the ambiguity still remains. Ultimately the question can be reduced to the potential definition the Founders had, past Supreme Court cases, the difference between constitutionally and congressionally conferred citizenship, and most importantly, the distinction between becoming a citizen at the moment of birth and having to achieve it later through the process of naturalization. The fact that Senator Ted Cruz was born in a region that was and remains out of the United States' jurisdiction means he fails to satisfy the natural born requirement and therefore disqualifies him for president.

II. FOUNDERS' DEFINITION OF "NATURAL BORN CITIZEN"

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¹ National Constitution Center, "The Constitution of the United States."

² Ibid.

When the Constitution was ratified in 1789, there were many different interpretations of the meaning of citizen, as well as natural born, that influenced the Founders' rationale behind the specific terminology. One influential source for the Founders was Great Britain, as the colonies had only recently declared and won their independence, and many people were still coming to terms with being American citizens rather than British subjects. Thus, the English jurist, Sir William Blackstone, who wrote extensively on the meaning of natural born subjects as early as 1760, impacted the Founders definition of natural born citizen. In 1765 Blackstone authored, *Commentaries on the Laws of England*, and wrote that, "The first and most obvious division of the people is into aliens and natural-born subjects. Natural-born subjects are such as are born within the dominions of the crown of England, that is, within the ligeance, or as it is generally called, the allegiance of the king; and aliens, such as are born out of it."³ The idea of allegiance was paramount for the Founders, who, at the time of drafting the Constitution, were establishing a new government in which the citizens' obedience was crucial. This sentiment was echoed by James Madison, who is widely considered to be the father of the Constitution, when he said during a House of Representatives meeting in May of 1789, "it is an established maxim, that birth is a criterion of allegiance. Birth, however, derives its force sometimes from place, and sometimes from parentage; but, in general, place is the most certain criterion; it is what applies in the United States...The sovereign cannot make a citizen by any act of his own; he can confer denizenship; but this does not make a man either a citizen or subject. In order to make a citizen or subject, it is established, that allegiance shall first be due to the whole nation."⁴ Madison's conception of natural born citizen then is based on allegiance, as he suggests that the only way to achieve this is by making natural born citizens solely those who are born in the United States. Further, he notes that that while a state can designate someone a denizen by statute or legislation, this does not make them equal to someone who is an actual citizen by virtue of birth. While Blackstone undoubtedly influenced the authors of the Constitution, English statutory law is not congruent with American common law, and further, there is an important distinction between "subject" and "citizen." In England during the 18th century, not every natural born subject could become the King, but only a small category of subjects called the royalty.⁵ While the Founders were concerned primarily with allegiance, they would disapprove of such a small number of citizens able to become President.

Another highly influential source for the Founders was the French philosopher, Emer de Vattel, who published the, *Law of Nations*, in 1758 on the law of sovereigns and free and independent states. In book I chapter XIX, Vattel discusses the meaning of native citizen, writing that, "the citizens are the members of the civil society; bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. The natives, or natural-born citizens, are those born in the country, of parents who are citizens. As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights. I say, that, in order to be of the country, it is necessary that a person be born of a father who is a citizen; for, if he is born there of a foreigner,

³ Blackstone, William. *Commentaries on the Laws of England: A Facsimile of the First Edition of 1765--1769*. (Chicago: University of Chicago Press, 1979). (Accessed March 22, 2016),

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⁴ The Founders' Constitution, "Volume 2, Article 1, Section 5, Clauses 1--4, Document 13." (The University of Chicago Press: 2000), (Accessed March 22, 2016).

⁵ Lawrence B. Solum, "Originalism and the Natural Born Citizen Clause." *Illinois Public Law*. April 18, 2010. (Accessed March 28, 2016).

it will be only the place of his birth, and not his country.”⁶ The influence of Vattel’s reasoning is clearly represented in the Naturalization Act of 1790, Congress’ first substantive immigration law. In the act, Congress asserted that, “any alien, being a free white person, who shall have resided in the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof... and the proceedings thereon; and thereupon such person shall be considered as a citizen of the United States. And the children of such persons so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States, that may be born beyond the sea, or out of the limits of the United States, shall be considered natural born citizens.”⁷ The Naturalization Act of 1790, building upon Article II Section I of the Constitution, established that children of American citizens born abroad should be considered as natural born citizens. Many argue that this suggests that the Founders, while undoubtedly influenced by Sir Blackstone, relied more heavily upon the philosophy of Monsieur Vattel, and thought that children born abroad to American citizens should be natural born citizens as well.

III. THE FOURTEENTH AMENDMENT

While the Naturalization Act of 1790 offered the first meaningful definition of natural born citizen, the term was further defined by the passage of the Fourteenth Amendment in 1868. Before the passage of the Fourteenth Amendment, it was widely believed that one was a citizen of the United States by being a citizen of any state. Ratified shortly after the culmination of the Civil War, the Fourteenth Amendment states in Section I that, “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.”⁸ This amendment was one of three passed in the wake of the Civil War; the Thirteenth Amendment abolished slavery, and the Fifteenth Amendment allowed men to vote regardless of race.⁹ The Fourteenth Amendment allowed newly freed slaves to be citizens of the United States, but also established several important implications for the meaning of natural born citizenship. Firstly, by virtue of being in the Constitution, the Fourteenth Amendment made national and state citizenship subject to federal law.¹⁰ More importantly, the Citizenship Clause further defined the Founders original intentions behind the meaning of natural born citizen, by drawing a distinction between two kinds of citizenship; birthright citizens and naturalized citizens.¹¹

The first part of the Fourteenth Amendment, or, the Citizenship Clause, automatically designates citizenship to all those, “subject to the jurisdiction of the United States.”¹² This is

⁶ Emer de Vattel, “The Law of Nations: Principles of the Law and Nature Applied to the Conduct and Affairs of Nations and Sovereigns.” Library of Congress. T. & J. W. Johnson, Law Booksellers, (Philadelphia: 1844), 101. (Accessed March 23, 2016).

⁷ Library of Congress, “A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 - 1875.” (Accessed March 23, 2016).

⁸ National Constitution Center.

⁹ Linda R. Monk, “Equality and The Fourteenth Amendment: A New Constitution.” PBS. (Accessed March 23, 2016).

¹⁰ Robert Clinton, “Ted Cruz Isn’t a ‘Natural Born’ Citizen.” US News. January 27, 2016. (Accessed March 24, 2016).

¹¹ Clinton.

¹² Linda R. Monk, “Citizenship and Privileges Clauses.” PBS. (Accessed March 25, 2016).

known as birthright citizenship, and means anyone born in the United States is consequently a citizen.¹³ The Fourteenth Amendment was written in response to the Supreme Court's ruling in *Dred Scott v. Sandford*, in which Chief Justice Taney ruled that African Americans were not citizens because of their race. Thus, the Citizenship Clause unequivocally confers citizenship to anyone born in the United States, regardless of their race or skin color; and to children who are born in the United States to illegal aliens. People born in America are constitutionally citizens, while those who are born out of the country must have their citizenship designated by federal law, under Article I Section 8 Clause IV of the Constitution, which asserts that it is the power of Congress, "to establish an uniform Rule of Naturalization... throughout the United States."¹⁴ Thus, birthright citizenship describes someone who at the time of their birth did not have to go through a naturalization proceeding or process at some later time, and it is this kind of person that is Constitutionally eligible to run for President.¹⁵

III. THE SUPREME COURT AND NATURAL BORN CITIZENSHIP

Nowhere in the Constitution is the term natural born citizen delineated, and the Supreme Court likewise has yet to explicitly define the Citizenship Clause and who can be eligible for president, however the court has ruled on several important citizenship cases, such as, *Inglis v. Trustees of Sailor's Snug Harbor*, *Minor v. Happersett*, and *United States v. Wong Kim Ark*. In, *Inglis v. Trustees of Sailor's Snug Harbor* (Inglis), the court had to solve the complications of citizenship during the Revolutionary War. The main complication was due to the fact that the court wanted to ensure that proper allegiance would be owed to the United States, since many citizens were former British subjects. In *Inglis*, the court said that, "nothing is better settled at the common law than the doctrine that the children even of aliens born in a country while the parents are resident there under the protection of the government and owing a temporary allegiance thereto are subjects by birth." This established the precedent that if someone is born in this country, even to parents who are citizens of another, their children are automatically American citizens. This principle, of *jus soli*, or the right of anyone born in a territory to citizenship is consistent with the Fourteenth Amendment and American jurisprudence.

Another paramount case that built upon the precedent set in *Inglis* is the 1874 case of *Minor v. Happersett* (Minor). Virginia Minor filed a lawsuit against the state of Missouri after she was disallowed from registering to vote because she was a woman. Minor argued that preventing her to vote was a violation of the Fourteenth Amendment; and as the case came before the Supreme Court, Chief Justice Morrison Waite, in his majority opinion, first discussed whether Minor was a citizen of the United States in terms of the Fourteenth Amendment and common law. On behalf of a unanimous court, Chief Justice Waite wrote the following in regards to the common law definition of natural born citizen,

The Constitution does not in words say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common law, with the nomenclature of

¹³ Monk, "Citizenship and Privileges Clauses."

¹⁴ The Constitution Center.

¹⁵ Neal Katyal and Paul Clement, "On the Meaning of "Natural Born Citizen." Harvard Law Review. March 11, 2015. (Accessed March 25, 2016).

which the framers of the Constitution were familiar, it was never doubted that all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives or natural-born citizens, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their parents. As to this class there have been doubts, but never as to the first. It is sufficient for everything we have now to consider that all children born of citizen parents within the jurisdiction are themselves citizens.¹⁶

This establishes several key distinctions between the different kinds of citizenship present within the United States. Firstly, as the court expressly reaffirms, natural born citizens are those that are born in country to parents who are citizens. This is distinct from the second class defined by Chief Justice Waite, those who have no claim to citizenship because they are foreigners. The final class of citizenship defined in *Minor* is the category of those who are born within the jurisdiction of the United States, but not to parents who are themselves citizens. Chief Justice Waite had reservations about designating this class as natural born citizens, but was adamant that children born in America to citizen parents are themselves natural born citizens.

Finally, in 1897 the Supreme Court was presented with *United States v. Wong Kim Ark*, which signified the last meaningful citizenship case the court has adjudicated. Wong Kim Ark was born in 1873 during the height of the anti-Chinese sentiment and the exclusion era. Both his parents were Chinese and had been living in northern California for some time, but because of the difficulty for Chinese businesses in particular, the family moved back to China when Ark was nine years old.¹⁷ When Ark tried to return to San Francisco in 1895, despite being an American-born citizen, he was barred entry under the Chinese Exclusion Act. Signed into law in 1882, the Chinese Exclusion Act prevented the Chinese from immigrating to the United States and becoming citizens primarily because of economic concerns.¹⁸ Ark was able to acquire a writ of Habeas Corpus, by claiming he was a citizen under the Fourteenth Amendment of the Constitution; however when the case reached the Supreme Court, the nine Justices were burdened with first answering the question of whether Ark was a natural born citizen and could stay in America.

Justice Gray wrote in the majority opinion that the law, “irresistibly lead us to these conclusions: the Fourteenth Amendment affirms the ancient and fundamental rule of citizenship by birth within the territory, in the allegiance and under the protection of the country, including all children here born of resident aliens, The Amendment, in clear words and in manifest intent, includes the children born, within the territory of the United States, of all other persons, of whatever race or color, domiciled within the United States. Every citizen or subject of another country, while domiciled here, is within the allegiance and the protection, and consequently subject to the jurisdiction, of the United States.”¹⁹ Thus, the

¹⁶ *Minor v. Happersett*, 88 U.S. 162, (1874).

¹⁷ Fred Barbash, “Donald Trump meet Wong Kim Ark, the Chinese American cook who is the father of ‘birthright citizenship.’” *The Washington Post*. August 31, 2015. (Accessed March 30, 2016).

¹⁸ Harvard University, “Chinese Exclusion Act (1882).” Open Collections Program: Immigration to the US. (Accessed April 2, 2016).

¹⁹ *United States v. Wong Kim Ark*, 169 U.S. 649, (1898).

court upheld that the Fourteenth Amendment's citizenship guarantee applies to children born to foreigners on American soil, despite the fact that the parents might not be American citizens and further unable to attain American citizenship in their own right.²⁰ In the dissent, Justice Fuller enumerated several important points, challenging the premise that Wong Kim Ark was in fact "subject to the jurisdiction of the United States." He wrote, "the true bond which connects the child with the body politic is not the matter of an inanimate piece of land, but the moral relations of his parentage... the place of birth produces no change in the rule that children follow the condition of their fathers, for it is not naturally the place of birth that gives rights, but extraction."²¹ He continued on to say, "the framers of the Constitution were familiar with the distinctions between the Roman law and the feudal law, between obligations based on territoriality and those based on the personal and invisible character of origin, and there is nothing to show that, in the matter of nationality, they intended to adhere to principles derived from regal government, which they had just assisted in overthrowing."²² The dissent emphatically proposes that citizenship cannot be qualified merely by birth place, but rather is contingent on lineage, as the parents' citizenship is the true determinant of a child's loyalties.

V. EVOLUTION OF NATURAL BORN CITIZEN

The meaning of natural born citizen has evolved significantly since the Founders first included it as a necessary condition to become President of the United States. The authors of the Constitution indicated that the meaning of the clause was to preclude and deter foreign manipulation of the new American government and prevent a foreign actor from becoming its leader. In July of 1787, John Jay wrote a letter to George Washington, in which he said, "Permit me to hint, whether it would not be wise & seasonable to provide a strong check to the admission of Foreigners into the administration of our national Government, and to declare expressly that the Command in chief of the American army shall not be given to, nor devolved on, any but a natural born Citizen."²³ The Founders were apprehensive about foreign manipulation in their newly established government; and while they wanted to allow for most anyone to be able to achieve the highest office in the land, they wanted to ensure that the allegiance of the candidate would not be questioned.

Although immigration and citizenship policy has changed since the ratification of the Constitution, allegiance has always remained a constant part of the definition of natural born citizen and present in the opinions of Supreme Court rulings. James Madison noted the importance of allegiance during his address to the House of Representatives, and specifically how place rather than lineage was the best determinant of loyalty. Allegiance was also a theme throughout the Supreme Court rulings, as the court consistently upheld that a child born, "within the jurisdiction of the United States," even if it is to parents who are not citizens, are themselves natural born. Although the Naturalization Act of 1790 indicated that natural born citizenship extends to children who are born to American

²⁰ Garrett Epps, "The Citizenship Clause: A 'Legislative History.'" *American University Law Review*, 2010. (Accessed April 5, 2016), 332.

²¹ *United States v. Wong Kim Ark*.

²² *Ibid*.

²³ "To George Washington from John Jay, 25 July 1787." Founders Online, National Archives. (Accessed April 6, 2016).

citizens abroad, this accordance of citizenship to foreigners has since been repudiated. The term natural born citizen used to describe children abroad in the 1790 Naturalization Act was left out of the an updated version of the same piece of legislation five years after the passage of the original.²⁴ After the Naturalization Acts of the late eighteenth century, the Fourteenth Amendment was the next significant legislation to define citizenship. The Fourteenth Amendment, as reaffirmed by several Supreme Court cases, established that anyone born in the United States is a natural born citizen, regardless of the citizenship status of either of their parents. The evolution of the natural born citizen definition demonstrates that Ted Cruz is ineligible to be a candidate for President of the United States.

VI. THE INELIGABILITY OF TED CRUZ

Ted Cruz was born in Alberta, Canada in 1970, where he lived until he was four years old, when the family relocated to Texas.²⁵ While his mother was born in Delaware, his father was a Cuban citizen; and evidence suggests that along with Cruz' mother, was seeking permanent residency in Canada at the time of their sons' birth.²⁶ Based on original intent, a method for interpreting the meaning of the Constitution by emphasizing what the authors initially envisioned, it is clear that the natural born citizen requirement was primarily to ensure that candidates for president would be loyal only to the United States. Even if birthplace were to be discounted in terms of determining allegiance, Cruz still lived in Canada for the first four years of his life. Original intent clearly suggests that the Founders consciously drew a distinction between natural born citizen and any other kind of citizenship; and further, that they created the distinction to ensure commonality among all presidential candidates and ensure that only loyal Americans could attain the office of president.

Proponents of Ted Cruz' eligibility for president argue that a natural born citizen is someone who is a citizen from birth and does not have to go through the process of naturalization.²⁷ In the Harvard Law Review, two former Solicitor Generals, Neal Katyal and Paul Clement, wrote, "Congress has made equally clear from the time of the framing of the Constitution to the current day that, subject to certain residency requirements of the parents, someone born to a U.S. citizen parent generally becomes a U.S. citizen without regard to whether the birth takes place in Canada, the Canal Zone, or the continental United States."²⁸ Ted Cruz did not have to go through a process of naturalization because his mother was an American citizen, and therefore her citizenship automatically passed to him when he was born. Based on an immigration bill ratified by Congress in 1952, Cruz can claim to be a natural born citizen because his mother is a U.S. citizen; and yet there is a difference between natural born and citizen, and while Congress does have the power to confer citizenship, it does not have the power to convert someone to natural born status

²⁴ Indiana University, "Naturalization Laws: 1790-1795." (Accessed April 7, 2016).

²⁵ Mathew Piper, "Utahn's federal suit challenges presidential eligibility of Cruz." *The Salt Lake Tribune*. January 26, 2016. (Accessed April 9, 2016).

²⁶ Piper.

²⁷ Katyal and Clement.

²⁸ Ibid.

without amending the Constitution.²⁹ To naturalize a foreigner is to confer citizenship, but it does not make them born in American, and similarly, to bestow citizen statutorily to someone born abroad to an American parent cannot ostensibly make them a natural born citizen.³⁰

Further, Katyal and Clement significantly rely on British statutory law and Blackstone's reasoning, instead of American common law as their definition for why Cruz is a natural born citizen. Although the Founders were influenced by British law, there are clear differences between Blackstone's definition of subjects and the Founders description of citizens. It is also understood that it is the common law that is relevant to defining natural born citizen, rather than British statutory law. Additionally, Katyal and Clement heavily depend on the Naturalization Act of 1790, as a demonstration for the Founders' true intentions. While the legislation in 1790 did designate foreign children born to American citizens as natural born, that specific language was left out by the Third Congress.³¹ This denotes both the importance and distinction of natural born citizenship, as the Founders themselves deliberated about the terms' true meaning.

While Ted Cruz is currently having his presidential eligibility debated, other presidential candidates, such as John McCain and Barack Obama in 2008, likewise had their candidacy questioned on the basis of natural born citizenship. McCain was born in 1936 on a military base in the Panama Canal Zone to citizen parents. Although McCain, like Cruz, was not born in the continental United States, there is a difference between the former and current presidential candidate. The Panama Canal Zone where McCain was born, was sovereign U.S. territory at the time of the Senator's birth; as the Supreme Court explained in *O'Connor v. United States*, "from 1904 to 1979, the United States exercised sovereignty over the Panama Canal and the surrounding 10-mile-wide Panama Canal Zone."³² The Fourteenth Amendment expressly states that anyone is a citizen if they are born in the United States or a place, "subject to the jurisdiction thereof." Thus, although McCain was not born in one the states, the Panama Canal Zone still constituted United States territory at the time of his birth, meaning that he was a natural born citizen and eligible for the Presidency.

The current President of the United States, Barack Obama, also had his citizenship debated during the presidential election of 2008. It was challenged that President Obama was not born in this country, but rather in Kenya, and therefore his status as a natural born citizen was questioned.³³ The President provided birth certificate records that indicated he was born in Honolulu, Hawaii in 1961, automatically making him a natural born citizen. The difference between President Obama and Ted Cruz is that Obama was born in the United States, while Cruz was born outside of it. Consistent with both the original intent of the Founders to ensure that the President would be a loyal American unburdened by the

²⁹ Mary B. McManamon, "Ted Cruz is not Eligible to be President." *The Washington Post*. January 12, 2016. (Accessed April 9, 2016).

³⁰ Eric Posner, "Ted Cruz Is Not Eligible to Be President." *Slate*. February 8, 2016. (Accessed April 10, 2016).

³¹ Library of Congress, "A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 – 1875, Naturalization Act of 1795, Third Congress." January 29, 1795. (Accessed April 10, 2016).

³² *O'Connor v. United States*, 479 US 27, (1984).

³³ Gary Tuchman, "CNN Investigation: Obama born in US." *CNN*. April 25, 2011. (Accessed April 10, 2016).

inclinations of other countries, and common law, a presidential candidate can only be born on American soil or within its jurisdiction.

VII. CONCLUSION

The requirement of natural born citizen in order to become a candidate for president is one of the most important limitations in the Constitution. Throughout human history, civilizations and communities have been built and destroyed by the movement of people. The United States has long represented the possibility that anyone can come to America and not only succeed but also flourish. America is built upon what has historically been an open immigration policy, conferring citizenship both constitutionally through birth, and statutorily through Congress. The Founders of this nation however saw a difference between someone earning citizenship through a naturalization process, and through birth. The primary reason for the distinction between natural born and citizen, is the belief that allegiance is represented best by those who acquire citizenship through birth. Throughout history, relationships between people and countries have not become simpler but rather more convoluted, politicians' positions more entrenched, consensus harder to achieve, and loyalties easily strained. The United States has emerged as a powerful nation that other countries try and emulate. While there are hundreds of congressman and women, and nine members of the high court, there can be only one president. The importance of the president then denotes that there should be a difference between a citizen and one that is naturally born. No one has been elected President of the United States after having been born outside the country.³⁴ Not only was Ted Cruz born outside the jurisdiction of the United States, but he continued to reside in Canada for four years, and did not renounce his citizenship until 2014.³⁵ While the length of time it takes to develop loyalty to a sovereign is seemingly arbitrary, four years is not inconsequential; and if birth does not necessarily determine loyalty, but rather lineage, Cruz's parents were possibly seeking Canadian citizenship at the time of their sons' birth.³⁶ This ambiguity is precisely why the Founders created the distinction between natural born and citizen, and added the former as a requirement to be president. Ted Cruz' presidential run does a disservice to the other candidates seeking the same office who are themselves qualified, and most importantly, the American people that have put their faith in the fairness of the system and faith in the Founders to create the most representative government. In order to uphold the continuity of the American electoral system, and ensure that the eventual president will be loyal to the United States, Ted Cruz should be disqualified as a candidate for president on account of his Canadian birth.

³⁴ David G. Savage, "Is Ted Cruz, born in Canada, eligible for the presidency? Legal experts say yes." *Latimes*. January 8, 2016. (Accessed April 10, 2016).

³⁵ Saeed Ahmed, "It's official: Ted Cruz a citizen of the U.S. - and the U.S. only." *CNN*. January 9, 2016. (Accessed April 10, 2016).

³⁶ Piper.

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