

Law Professors Weigh In on Cruz's Natural-Born Citizen Issue

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Photo credit: Ted Cruz's Facebook page[/caption]

Summary: *Law professors weigh in on whether Ted Cruz is ineligible to run for president because of the natural-born citizen issue.*

Considering Donald Trump fueled the “birther attacks” against President Barack Obama, claiming he wasn't constitutionally fit to serve as president, it isn't much of a surprise that he's using the same tactic against Ted Cruz, his opponent in the Republican presidential primary race. **What's surprising is that Trump's declamation is reverberating with legal scholars,** Business Insider reports.

Ted Cruz was born in Canada. His mother was an American citizen and his father Cuban. His mother's status naturalized him as an American citizen at birth, but does he count as a “natural-born citizen” as Article II of the U.S. Constitution requires?

Laurence Tribe, who taught Obama and Cruz at Harvard Law School, **wrote in The Boston Globe:** “The constitutional definition of a ‘natural-born citizen’ is completely unsettled, as the most careful scholarship on the question has concluded,” **Tribe wrote in The Boston Globe.** “Needless to say, Cruz would never take Donald Trump's advice to ask a court whether the Cruz definition is correct, because that would in effect confess doubt where Cruz claims there is certainty.”

Another legal expert, Cass Sunstein, a professor at Harvard Law School, **wrote in Bloomberg View :** “On the merits, I agree with Cruz: The Naturalization Act of 1790 counts in his favor, and because he was a U.S. citizen at birth under U.S. law, the better view is that he is natural born. But University of San Diego constitutional specialist Michael Ramsey, a former law clerk to Justice Antonin Scalia, put it well: ‘It's a mystery to me why anyone thinks it's an easy question.’”

Mary Brigit McManamon, a constitutional law professor at Widener University's Delaware Law School, stated it more bluntly and directly: “Cruz is, of course, a U.S. citizen. As he was born in Canada, he is not natural-born.”

Whether or not this question is answered, with constitutional assurance, it makes a difference to voters. 47 percent of respondents to a Public Policy Polling Survey in Iowa believe being born outside the U.S. means you are ineligible to run for president, Business Insider reported.

Source: [Business Insider](#)

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