News
Woman cries

A woman cries as a bus transporting detained people leaves the Department of Homeland Security field office in Nashville. Immigrant rights groups had gathered to protest what they believe to be a multi-agency operation to detain-noncitizens overnight in Nashville, Tenn., May 4. (OSV News/Reuters/Seth Herald)

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An asylum-seeker in the U.S. from Cuba is spending the final part of her pregnancy on bedrest amid anxiety about her unborn child's future due to an executive order signed by President Donald Trump that would bar her child from U.S. citizenship.

Speaking to OSV News through a translator, the expectant mother, who asked to be identified only by her first name, Barbara, said she and her family fled Cuba because they were facing political persecution from Communist Party officials due to their Christian beliefs. The U.S. State Department acknowledges religious persecution in Cuba, which can include arrests, surveillance and abuse.

"Because I would not join their political party, my family started suffering political persecution," Barbara said. "We didn't want to be part of the political party, and our

religious beliefs were against what the political party believed."

The U.S. Supreme Court has yet to issue a ruling in a combined case regarding the Trump administration's executive order to end birthright citizenship for children born in the U.S. to parents without legal status or temporary visa holders, and whether federal judges could properly block that order. A decision on whether the executive order can be implemented while legal challenges to it proceed is expected before the end of the high court's term, which typically ends in June or early July.

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Three combined cases heard by the high court May 15 stem from an executive order Trump signed within hours of returning to the Oval Office in January seeking to end the practice of birthright citizenship for these children. The scope of its ruling will likely center on the Trump administration's contention that federal judges improperly blocked the order despite arguments it unlawfully violated the 14th Amendment rather than on the merit of the order itself.

During oral arguments in May, although some of the justices from the court's perceived conservative ideological wing appeared concerned about nationwide injunctions issued by lower court judges, justices more broadly appeared skeptical of Trump's ability to effectively rewrite the long-standing legal interpretation of birthright citizenship by executive order.

Conchita Cruz, co-executive director of the Asylum Seeker Advocacy Project, or ASAP, one of the organizations challenging Trump's order in court, expressed concern that if the order were implemented, children of their members would be left stateless.

"Our members were concerned that their kids would not have U.S. citizenship, and then, because our members are asylum-seekers, many are afraid to register their children as citizens of the country they fled from, and where the government has persecuted them," Cruz said.

Barbara, whose green card application remains pending, said, "When we decided to apply for political asylum, we knew that there would be a lot of uncertainty, but we still felt very secure."

Trump signs document.

President Donald Trump signs documents in the Oval Office at the White House Jan. 20. He signed a series of executive orders including on immigration, birthright citizenship and climate. (OSV News/Reuters/Carlos Barria)

But once Trump signed the executive order, Barbara said, she became anxious as "it would be horrible for my baby."

"It would be like stealing his future, the future that we came to the United States to seek," she said.

The 14th Amendment states, "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," that a birth on U.S. soil constitutes citizenship. However, the Trump administration has argued the phrase "subject to the jurisdiction thereof" gives them the authority to curb the practice, which would upend long-standing legal interpretation.

During oral arguments in May, D. John Sauer, the solicitor general, argued that long-standing legal interpretation of the 14th Amendment was effectively incorrect, arguing it "guaranteed citizenship to the children of former slaves, not to illegal aliens or temporary visitors."

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But opponents of the order said that reinterpretation of the amendment was incorrect.

"Our members are afraid — if the government can reinterpret the Constitution, there are a wide range of implications," Cruz said. "What does this mean for due process? What does it mean for the rights enshrined in the Constitution for people — regardless of their immigration status? And so this is also a fight about protecting the Constitution, and the rights of all people that live in the U.S."

Barbara said she would like Trump and his administration to consider immigrants as individual humans.

"Immigrants are people full of dreams, people seeking liberty," she said. "We're people seeking a secure future."

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Cruz said she is concerned that the stress surrounding the order could adversely impact the health of pregnant women and their unborn children.

"I think about our members, pregnant women, who after the executive order was announced, suddenly were suffering from extreme stress, anxiety and high blood pressure, some have had their babies early, and continue to worry about their children's future," she said. "Stress during pregnancy impacts maternal health, but it can also impact a child's health for the rest of their lives. Not to mention how important early childhood is, including the first few months of a child's life."

Barbara said, "Babies are a blessing."

"They're the future of any society," she said. "And to guarantee the rights of these babies is to guarantee the future of a society."