The Questionable & Covert Nature of Obama's Citizenship

The most important, though covert, issue of the 2008 presidential election was that of Barack Obama's ancestry. His American ancestors went back hundreds of years. No, wait. Make that his African ancestors who went back hundreds of years. No, -make that thousands of years, no-wait, -make that tens of thousands of years.

If his native-African father had married an indigenous American, (forever erroneous labeled "Indians" by Columbus) then there would have been a truly colossal clash of native ancestries; -different continents, different cultures, different languages, different religions, different races, and different countries.

Instead his significant ancestral clash was not in any of those realms but in that of his parents' nationalities. Which citizenship would he be born with? British? or American? Or both? The answer is that few people still living know the answer and that is because it depends on whether or not the executive branch in 1961 followed the U.S. Nationality Act of 1940 or ignored it, -which they had the power to do since they didn't have to answer to Congress in regard to the execution of the naturalization law. They only answered to their boss, -the President, and didn't even have to answer to him if he wasn't even in the loop.

Why would someone suspect that the INS didn't follow the law in the 1960's? Because of a statement made by the Attorney General in 1969 related to a policy known as "expatriation by marriage", which became the official policy of the U.S. Government due to the Nationality Act of 1907.

It was an integral part of the official policy of the American Immigration & Naturalization Service, as well as The State Dept., which is responsible for visas and passports.

It followed the same straight-forward tradition as human societies and religious teaching & practice. By Christian tradition and Church Law, the wife was subordinate to the husband who was the head of the household.* Therefore she was fully a part of his world and belonged to him.

The outward manifestation of that relationship was that upon taking the wedding vow giving herself to her husband, she thereby passed from the jurisdiction of her father to that of her mate. If he was a foreign man, then her maiden citizenship, inherited from her father via patrilineal descent switched to that of her husband as she left behind her former family name and her former family citizenship and adopted his and his alone, becoming fully a part of his world and his family.

That practice was not an American tradition, nor a British tradition, since both nations allowed wives to possess citizenship independently of their husband, even though it resulted in children who were not natural citizens of either of two competing nationalities conveyed from parents. But that changed in 1907 when expatriation by marriage became the U.S. Law.

It was rescinded in 1922 to an extent, but in the meantime all the children born to women who were American citizens but who lost their citizenship by marrying foreign men, -those children possessed only the citizenship of their foreign fathers.

One learns from reading the official Attorney General "Interpretations" of Supreme Court rulings regarding nationality that that national policy was only questioned, and possibly nullified after the U.S. Attorney General interpreted a Supreme Court ruling (Afroyim v Rusk) to mean that depriving American women of their citizenship could not be based merely on marriage to a foreigner.

That overturned the policy in theory but not necessarily in practice, -at least that's the impression that the Attorney General's interpretation gave.

He states what his extrapolation of the Supreme Court decision means for women marrying foreign men, but then states that nevertheless, it is

not the policy of the government to follow it (!) [since it was not a direct ruling]. That was written decades ago but there seems to be nothing in the official Interpretations that supercedes it. Very curious. It leaves one not sure what the heck the policy was in the past or present. But I digress.

What one needs to know that is of significance is that the court ruling didn't happen until 1967, six years *after* Barack Obama's mother married his father and gave birth to him. If the INS deemed American women to have sacrificed their citizenship by marrying a foreigner (in conflict with Congressional statutes to the contrary) that policy would have only applied to women who lived abroad with their foreign husband, but not to marriages within the U.S.

The INS assumed and assumes that a mixed-nationality couple that produces a child in the U.S. has the law on its side since it provides it with U.S. citizenship, but that assumption is false (according to the actual U.S. law) if the father is not an immigrant. Therefore the source of their child's U.S. citizenship is dependent upon the American mother. But the statutes by which such children obtain citizenship derived from their mother's citizenship are written only for foreign births, -not domestic ones.

But the child of an American mother who divorced her foreign husband would be eligible for provisional U.S. citizenship which would require a certain number of years of U.S. residency during their teen years.

That is not what is known as "derivative citizenship" since it isn't acquired directly from the mother and her citizenship but is acquired by fulfilling the provisions of the statute's requirements.

The presidential eligibility clause of the Constitution reads either:

A. Any person, including a statutory citizen... shall be eligible to the Office of the President.

or

B. No person except a a natural born citizen... shall be eligible to the Office of the President.

Since the Supreme Court opinion came six years after Obama Jr.'s birth it therefore didn't apply when he was born. By the time it was handed down he was already an Indonesian citizen (-living in Indonesia and adopted by his Indonesian father). How then did he become a U.S. citizen you wonder?

During the era of 1907 to 1922, after divorcing a foreign man, a ex-American woman could be repatriated, -regaining her citizenship, which would also apply to any children born to her while married. That repatriation was accomplished via a short, easy form of naturalization which essentially is nothing more than signing a piece of paper pledging allegiance solely to the United States, and/or taking an oath. But that wasn't the circumstance involved with Obama.

So which answer above is correct? Answer B. And which form of citizenship did Barack Obama possess at birth, A? or B?

Answer: Probably neither; -not a natural born citizen, nor a statutory citizen. He may have been purely a British subject by birth since neither the Civil Rights Act of 1866 nor the 14th Amendment (1868) cover one born to a father such as his, and U.S. Naturalization law didn't cover birth to foreign fathers within the United States. His parentage and place of birth appears to have left him as one who fell between the cracks. But one thing is certain, -he was not born as a natural citizen of the United States.

Who is a "natural born citizen"? It is they who are born as citizens via the nature of their citizen parents. Citizen parents produce citizen children. Parents who are members produce children who are members. It's been that way since time immemorial in every clan, tribe, people, and nation on earth. Foreign fathers produce foreign children. No foreign national can father a natural American citizen. Only native fathers can father true natives. And only citizen fathers can father natural citizens.

Understand this: Citizenship by any form of naturalization, including statutory derivative citizenship, is *not* natural citizenship. Natural

derivative citizenship (inherited/derived from parents with the same nationality) is not statutory derivative citizenship which requires positive law to establish it.

The Constitution of the United States expressly requires that the President be no one except a natural born citizen, and statutory derivative citizens are not natural born. They are man-made citizens even if they are made citizens at birth.

Natural citizens are nature-made, and require no law, statute, policy, judicial ruling, or treaty to produce their citizenship nor legitimize it in any way. That's why their citizenship is not found in any law ever passed by Congress. Congress was given no authority to legislate regarding citizenship except in regard to those who are not natural citizens.

Those who are not natural citizens have direct connections to foreign nations, whereas natural citizens do not. Their only connections, if any, are indirect, -through **grand**parents, -*not* through parents.

When foreigners become officially recognized residents of America, then any children born to them will be constitutional native-born citizens via the 14th Amendment, while children born to American citizens are natural born citizens, (citizens by nature because they were born to citizen parents).

Any foreign father who becomes a naturalized citizen will father natural born citizens, and any children born to him before naturalization will automatically become U.S. citizens, but not natural U.S. citizens because he was not a citizen when they were born. He was a foreigner.

For better or worse, the man that the Democratic Party knowingly made their candidate even though he was not even close to being a natural born citizen, is heading for a reckoning some day. Whatever the outcome will be, the battle should be tumultuous. Perhaps it will be revolutionary in scope, including a full-blown constitutional crisis like the nation hasn't seen since the Civil War era. But it's impossible to say which scenario would be worse; -that reality comes down like a hammer on a complicit government and the party that committed the biggest election fraud in history, or that the only response be like the sound of one hand clapping.

But silence, like action, is a choice when it is the choice of free citizens with a free citizen's responsibility to keep their wayward government close to, if not on, the straight and narrow path. Just as one is responsible for their own words, so all are responsible for their own silence, especially when they are supposedly leaders and sworn to preserve, protect and defend the Constitution but don't.

They may not pay the price for their cowardice, but we, The People, surely will, -sooner or later.

by a.r.nash jan. 2012
http://obama--nation.com

* This is how a representative government worked. The head of the household (the husband/father, -unless deceased) represented the house as a whole. The house as a whole voted for representatives for local, state, & federal offices, including presidential electoral college members. The electoral college members represent the state as a whole in the presidential election and cast their vote for the candidate that best represents their state as a whole. Then last but not least we had the state officials who represented the body of the state as a whole and they chose two persons to represent the state in the U.S. Senate. But they lost that authority with the passage of the 17th Amendment which shifted the election of Senators to the people by popular vote. (edited by arn)
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