

The Bastardization of Citizenship Law & Principles

~Natural Citizenship vs Legal Perversion

From the founding of the nation, opposing ideas about the origin of citizenship have been in conflict. An erroneous assumption, held even by men in high regard, produced presumptuous statements supporting the belief that birth within U.S. borders constituted a traditional right to U.S. citizenship, or worse, that such citizenship could be presumed to be *natural* citizenship. Their stated view revealed the conflict between those who understood the inescapable meaning of the English word “*natural*” and those who had risen to positions of authority while adhering to a baseless certainty in a belief unsupported by logic, -by any universal colonial tradition, nor universal state or federal law.

That belief (the human-contrived convention of assigning national membership by the geographical location of one’s mother during delivery) has no connection to Natural Law, nor the unalienable Natural Rights with which humans were “endowed by their Creator”.

The Founding Fathers were steeped in the consciousness of Natural Rights, and viewed them as the only legitimate source for guiding principles upon which to found the first national government of a free republic in world history.

Those who held the opposite view about citizenship were in fact unknowingly adhering to a philosophy that was antithetical to American values.

They were unaware of that fact because their focus was only on American magnanimity toward valued immigrants, -whose children they viewed as being new Americans even if their fathers were un-naturalized foreigners. But that position came with a history and philosophy that was evil, -not in its branches, but in its root.

If one’s national membership is assigned by the GOVERNMENT based on nativity, -not nature, then one is a prisoner of a system that is opposed to the authority of “the Laws of Nature and Nature’s GOD”. Instead one is a cog in a Godless machine that’s lacking any Supreme authority or principle, -a machine devoid of unalienable Natural Rights

given by a Creator who made man in the likeness of his own nature, i.e., as free individuals, (-not drones) possessing a free-will, and the innate unalienable right to exercise it for one’s own benefit as well as his own family & people as long as one’s action does not infringe on the rights of others to do likewise.

Instead, the cogs in the machine are the property of the GOVERNMENT, and all rights derive from it and therefore are not permanent and unalienable, but can be canceled by the Government’s choice.

Such a Government’s foremost “RIGHT” is ownership of all who enter its realm via birth. Such an attitude could not be applied to those who enter it via travel, because then other governments would do the same and travel therefore would cease, along with trade and all the benefits that come with it. But those born into the Big Government’s realm via birth can be claimed because they emerged on the property that belongs to the LORD of all the LAND and they therefore, -as with the off-spring of cow, sow & fowl, as well as serf and slave, belong to it also, claimed by the Baron, the Colonel, the Don, the Duke, the Lord, the Prince, the King, or the autocratic Dictator (or in the case of free republics; BIG GOVERNMENT).

If Big Government is Lord & Master of the land and all who reside within it, then they belong to it and no other government. They are its property exclusively, -its subjects for life due to the place of their nativity, and nothing can ever change that, or cancel that imposed relationship.

It’s strictly an issue of sovereign Property Rights, so they are owned by the government and not their parents. Parental Rights do not exist in that sense. The father is not the true head of the household, -the government is. He does not own his own children because he is not the Lord and Master of the land on which they were born. *That* is the principle of **Jus Soli**, -*the law of the soil*.

Opposing that philosophy, (known as The Divine Right of Kings) is the Natural Law principle that:

- a.) Off-spring inherit their parents' nature.
- b.) Parents of the same nature (including political nature) naturally produce offspring with the same nature and group membership as themselves.
- c.) Off-spring are solely the property of the parents that produced them.
- d.) The group into which they were born is their natural group, and they are natural members of it.
- e.) That group can be a family, a herd, a pride, a clan, a tribe, a people, or a country.
- f.) They are members because they are the product of member parents, -cast from the same mold, -grown from the same DNA, whether it be biological or political DNA.

Their membership is natural membership, based on Nature, and not the borders surrounding the location of their nativity. Man-made contrived, conquest-determined borders have nothing to do with their natural membership. Their national membership is natural membership, and does not require and is not based on human choice, human law, nor dictator decision.

Whatever group their parents belong to, -they belong to also (for better or for worse) by being born a member, -not made a member by authorities. They are beyond the will and choice of authorities. Authorities' only option is to accept and recognize that which is naturally determined.

They can write that acceptance into law, but they cannot change their natural membership by any legitimate law because they don't possess the authority to abridge the Natural Rights with which the human race was endowed by its Creator. That is the principle of Jus Sanguinis, -the law of blood.

The Founding Fathers never wrote any such law regarding the national membership of natural members of the new nation, -with one small excep-

tion which sought to protect the rights of natural members born in other jurisdictions, i.e., in other nations.

Since the status of Americans born abroad was not addressed in the Constitution, and since enacting a constitutional amendment to protect their rights was not convenient nor perhaps feasible, the first Congress, including 40 authors of the Constitution, dictated that Americans born abroad were to be "considered as natural born citizens".

They did that via the Nationality Act of 1790, by which they set a minimum standard for all states to adhere to in choosing which immigrants they would grant citizenship to via naturalization, and by which they addressed the Constitution's silence regarding the unmentioned status of children born abroad to America's Ambassadors, Consuls, diplomats, military personnel, merchants and scholars, including their right to one day be entitled to serve their country as its President.

The act's authors made no attempt to declare what their choice was regarding the citizenship of those children because they knew that they had no choice since it was naturally determined via patrilineal descent.

They not only intended that foreign-born American children not be viewed as foreigners who needed to be naturalized, but that they were to be viewed as that which they were by birth, namely; *natural* Americans.

Why did they insert such language into the naturalization act? Because it needed to be stated, and an act that dealt with citizenship was the only place it *could* be stated. Very likely they heard from Thomas Jefferson (serving as Ambassador to France) and John Adams (Ambassador to England) who might have had children in those countries while serving in them. Why, they would have wondered, (and would have asked of the authors of the Constitution), should such sons be viewed by their government as disenfranchised from a right possessed by their siblings and their American brethren domestically born?

Upon finally thinking about it, all would have agreed that they should not be considered to be

anything other than natural Americans also, and so they echoed the the Constitution's phrase regarding presidential eligibility by adding the words "natural born" to the basic word "citizen" in order to define them as more than just non-descript citizens whose presidential eligibility might be questioned, -sending a clear message that they were, by nature, *not* excluded from eligibility for the office of President.

As the purpose of the first Congress in adding those words was later overlooked, future revisions of the Act omitted "natural born" when declaring that such children are to be recognized as U.S. citizens, -which made sense since language with a political significance is not a logical element of naturalization law.

But by that omission, the only statement ever in federal law supporting the truth about who is a natural citizen was erased. In the absence of "natural born", the thinking of many in the 20th century was affected. By then they failed to grasp the Nature Law principle that children born to Americans are Americans no matter where on earth they are born; -whether born inside of the United States or born outside, -that children take after their parents, -meaning they inherit their political nature, i.e., nationality.

Consequently, a century later, the distortion that resulted from the 1898 lawsuit by Wong Kim Ark led to the current bastardized status-quo view.

No other act regarding the natural U.S. citizenship of Americans born to Americans has ever been passed, although later revisions all reaffirm the citizenship of American children born abroad to American citizens.

Stephen Tonchen, author of Obama & Presidential Eligibility - An Introductory Citizenship Primer <http://people.mags.net/tonchen/birthers.htm>

noted that regarding the meaning of the term "natural born citizen" (which the President alone is required to be), the *consensus legal opinion* is that English Common Law is the source of what the term means, and that: 'this last word' [the Wong opinion] overrides and overrules all prior Supreme Court opinions on the matter, and negates all

modern-day opinions to the contrary. In other words, it doesn't matter how many historical and legal sources you cite in support of your viewpoint. In the mind of the American judiciary, The *United States vs. Wong Kim Ark* Supreme Court opinion and dicta supersedes all of them."

The Truth debunks the consensus view that the Wong opinion declares that native-born citizens are also natural born citizens whether born of Americans or aliens. The first is related to the meaning of "natural" (as used in the presidential eligibility clause: "*NO PERSON EXCEPT A NATURAL BORN CITIZEN, ...SHALL BE ELIGIBLE TO THE OFFICE OF THE PRESIDENT*") and the second is related to the meaning of "jurisdiction" as used in the citizenship clause of the 14th Amendment.

Two simple questions serve to demolish the logic of the erroneous, entrenched consensus view, and they are:

- 1.) "Is the word "CITIZEN" a term derived from the Natural realm or derived from the LEGAL realm?"
- 2.) "Is the word *Natural* a term derived from the LEGAL realm or from the Natural realm?"

Since *natural* is derived solely from the natural realm, examining the principles of Natural Law is sufficient to explain it. All post-Constitution legal opinions can be dispensed with as unneeded (they didn't even exist when it was written).

The word is not dependent on the existence of those opinions since its meaning was fully and unambiguously understood by those who used it in the Constitution. So we must understand it just as they understood it, which was via its natural meaning, -a meaning derived not from the physical realm and its man-made borders, but from the natural realm with its natural transmission of the parents' nature.

The combination of "*natural*" with "CITIZEN", (or "SUBJECT") -yielding "natural citizen" (or "natural subject") is an amalgamation of both the Natural realm and the Legal realm. That combination is *unnatural* because it's a hybrid, abstract concept, -like the combination of water & steel, resulting in something new, -liquid steel.

The legal term "CITIZEN" can only serve to describe the *general* category of membership in a nation, -as in: "is one a member?...or an outsider? ...a citizen?...or a foreigner?" It cannot detail the specific character of one's citizenship. It cannot differentiate between those who have obtained it naturally and those who have obtained it artificially via legal process, procedure, provision, or permission, i.e., via positive law, -they being "LEGAL CITIZENS".

What such *naturalized* citizens, *statutory* citizens, *14th Amendment* citizens, and *derivative* citizens all have in common is that one or both parents were not American citizens.

To differentiate them from those with American parents requires the use of a word not found in the Legal realm, namely, the word "*natural*", resulting in the hybrid-concept term: "*natural* CITIZEN".

Citizenship is not a natural thing since it's strictly a legal thing, (-describing membership in a nation) and no nation is a natural thing. Instead, nations are a man-made thing, [-although they can be both in rare cases such as with a single-island nation whose boundaries are determined by nature].

Membership is not a Legal term used in reference to NATIONS because it's a term in reference to animal and human *societies*, -and those things are not LEGAL things, but are natural things.

Straddling the divide between the LEGAL realm and the Natural realm is the "*natural* CITIZEN" -one who's a natural member of the society by being born of native parents who are members, -as well as being a CITIZEN of the nation by being born of parents who are citizens.

Just as there is no "official membership" in natural groups, so there is also no "official citizenship" for natural citizens. There's no law that makes them a *legal* member of the nation since their membership/citizenship is not a legal grant or gift. It's not via legislation, controlling opinion, executive order, nor constitutional amendment. It's via the natural transmission of one's parents' status and membership, in particular, one's father (-universally the head-of-the-household in patriarchal eras).

No law exists making them members of the nation because no lawmakers possess the authority to grant nor rescind unalienable rights, -and natural membership, like the right to life, liberty, property, self-defense, parenthood, etc., is just such a right. It begins with the mother and father of a child. They have the right to have their child belong to them and be a member of their family.

The child has a right to belong to its parents and not to the government. A child's membership in its own family is purely a natural thing and no human being that has ever lived was able to alter that fact.

All lawmakers could do is to mandate that it be officially recognized, -as was the case in every Nationality Act since 1790, thereby directing every knucklehead bureaucrat, magistrate, and immigration official in government positions to recognize such children as being what they were born as, namely; American CITIZENS, (-not foreigners in need of naturalization processing).

Neither their citizenship nor that of their domestically born brethren was a subject of human choice, or decision. It is for that reason that no law exists by which natural citizens are "official members" of the American nation.

The 14th Amendment served to declare the citizenship of the freed slaves who had been denied it, -not to bestow, validate, authorize, or grant membership (citizenship) to those who already possessed it naturally from birth. The Amendment is irrelevant to all who were not born of slaves or born of a foreign father.

They are citizens with or without the Amendment, but those born in the U.S. with foreign parents are not since their citizenship is directly dependent on the *consensus legal opinion* resulting from the official opinion of the turn-of-the-century Attorney General who interpreted the official opinion of the Supreme Court in the case of Wong Kim Ark (which the court majority based on a deliberate misconstruence of the 14th Amendment, -contrary to all previous court cases).

That AG's erroneous opinion then became the official policy of the federal government and has

been "the law of the land" ever since even though it sprang from not understanding the meaning of the word "jurisdiction".

The Supreme Court, in the Wong Kim Ark opinion, went a bridge too far, -bastardizing their interpretation of the meaning of the 14th Amendment, [deliberately ignoring the authors' stated definition] by opining that children of foreigners (immigrants) are American citizens regardless of being born to foreigners (-a "good" and practical but totally erroneous legal position).

But then the Attorney General went a second bridge too far and bastardized the court's limited opinion by assuming that it extended to *everyone* born in the United States [with the lone exceptions of children of ambassadors and Native Americans] making all others citizens even if they are merely children of foreign guests ("non-immigrant aliens") or "illegals" present in the U.S.

But what neither of them did was to bastardize the 14th Amendment into declaring that all persons born within U.S. territory are not only citizens of the United States, but are *natural* citizens also. That distortion is a modern perversion that arose only in response to the need to legitimize the candidacy of a supposed 14th Amendment citizen, named Barack Obama, who was constitutionally unqualified to be President.

The Immigration Service labels 14th Amendment citizens "native-born", (in contrast to naturalized, and natural-born citizens) since their citizenship does not exist if they are not native-born, whereas natural citizens and naturalized citizens can be born anywhere on earth.

The current consensus legal opinion is held by mindless minions with no interest in the historical truth nor philosophical fact, (just in knowing; "what's the law -so I can unquestioningly teach it, or learn it, or practice it?) Their attitude is "what does everyone else think?"; "what does everyone agree on? I need to know and adhere to it because I don't want to stand-out from the crowd, -to swim against the stream, -to be looked at askance like a dimwit and elicit disapproval or scorn"; and be-

sides, "everyone can't be wrong!..if everyone agrees on something then it must be right, right? or else why would they agree on it? Why get involved in an issue that is already 'decided'? Why research something that can't possibly help one's career? Why risk becoming convinced of something that no one embraces? Where's the upside of that?"

And so the status quo continues to be stuck in the mud of consensus thinking, -frozen in error, ossified by legal and intellectual inertia. No different than almost every major widely-held belief in the history of man, -beliefs that in time were found to be false (including the one that gave us the name "Indian" -a term forever entrenched as a permanent institutional error).

But all it takes is one honest judge, -one lawsuit with legal standing to proceed, and the huge dam of establishment resistance could crumble beneath the weight of truth and logic (assuming that bribery, coercion and intimidation don't alter the ruling).

Such a thing has happened many times before in American judicial history. And so we hold on to the slim hope that it might happen again. Otherwise, as in the Eminent Domain, and Health Care Act decisions, it will become even clearer that there are traitors among us and over us, -the foxes are guarding the hen house. The wolves are dressed in shepherds clothing, and the emperors of the American courts have no cloths, taking sides against the Constitution, -having been in cahoots with the self-described Kenyan-born emperor in the White House to prevent anyone from claiming that even though he passed himself off as being fully clothed in eligibility, he was in fact stark naked, having been born ineligible for the office of the President of the United States by not being born as

"a *natural born* CITIZEN".

by A.R. Nash Oct 2012 obama--nation.com