

Presidential Eligibility & The 20th Amendment

Part II of Fundamental Errors Obama Depends On

There's one other area of Constitutional law that has never been enforced regarding Obama's assumption of the presidency, and that is the authority and presumed requirement of the Twentieth Amendment. That amendment deals with the qualification and terms of the President and Vice-President.

It states in Section 3: “, or if the President elect shall have **failed to qualify**, then the Vice-President elect shall act as President until a President **shall have qualified**; and the Congress may by law provide for the case wherein **neither** a President elect **nor** a Vice-President elect **shall have qualified**, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President **shall have qualified**.”

Its words “**failed to qualify**” are unmistakably not figurative but literal. The President *must* qualify, and therefore to fail to qualify must mean that he failed a qualification review. That implies that there must be a review which one may fail because if there is no review then there is no possibility of failing to qualify. That means that someone or some group had to be charged with ascertaining whether or not the President elect met the requirements of eligibility for the office.

And who would the congressional authors of the amendment have entrusted to ascertain the facts? Only the representatives of the people, i.e., Congress. Therefore it was up to Congress to inquiry as to the constitutional qualifications of the men who sought to hold the highest offices in the land.

If they were to find that they did not meet the requirements, then they would be obligated to bring the facts to the full body of one or both houses and take a vote as to whether or not it was agreed that the President elect and/or the Vice President elect had failed to qualify according to the Constitution for the offices they were elected to assume. So Congress was expected and obligated to be the gate-keeper for the command of the presidency and the authority of the Commander-in-Chief.

If the President elect was only 34 years old when his presidency was to begin, they would find him to be unqualified and install the Vice-President in his place, and he would serve until the President elect turned 35.

Same with the requirement for 14 years of residency.

That is clearly what the 20th Amendment is worded to mean and yet do we any recollection of Congress actually carrying-out its duty to protect the presidency and the nation from unqualified persons who had the audacity to run for the office, the good fortune, moxie, chutzpa and persuasive power and/or backing to bamboozle their way onto the election ballots of every state, and then win the election as the founding fathers feared might one day happen?

Well we don't because they never have, and never had to, -although Congress did hire a high-profile pair of attorneys [Tribe & Olsen] to research whether or not one born outside the United States, but under U.S. jurisdiction, could qualify as a natural born citizen which is the first and foremost requirement of qualification for the presidency.

They concluded that having been born of American parents made John McCain an American citizen regardless of where he was born and that such citizens are the natural members of the American nation and therefore qualified for the office of the President as natural American citizens.

They had that opinion in hand during the campaign season, and it would seem that in order to secure a unanimous consent vote of the entire Senate (in absentia) that declared the opinion of the Senate was that McCain was qualified, the republicans made the choice to again violate their oath to preserve and protect the Constitution by remaining silent about the ineligibility of McCain's fellow Senate presidential candidate Barack Obama, who in fact was *not* a natural born citizen, and thus was not qualified to be President.

John McCain and his ilk knew full well that Obama was not a natural born citizen but they traded a chunk of their honor, and their fidelity to the nation's foundational charter for the benefit of great opportunity. Together, they and the entire United State government committed treason against the Constitution (for “the greater good”)

afraid to appear out of step with the momentum to have a serious black candidate for the presidency. And so they all remained silent, -both before and after the election. Then even worse, the chief justice-traitor of the supine court acquiesced to the expectation that he swear-in the ineligible usurper and thus make the constitutional treason a perfect trifecta of governmental criminality by misfeasance and nonfeasance, thereby facilitating Obama's perjury by false swearing as he vowed to uphold the same Constitution that he was violating by assuming the office which it declares him ineligible to hold.

And what made it worse was the fact that not even one voice in the media, including the conservative media (other than the internet) would even acknowledge that there was anything suspect about Obama's eligibility. And worst of all, all 50 state governments allowed him on the ballot for a *second* time!, -and the government repeated its constitutional treason *twice!*

Like Humpty-Dumpty, this broken government can't be fixed because its aggressive entrenched attitude of being superior to and unchained by the limitations of the Constitution is not the exception but is the norm. That's business as usual.

The attitude in Washington is that institutional power based on institutionalized error and independence from the Constitution in any and every way which they can get away with is the perfectly natural way of running the country, and anyone who wants to hold them to the limits of the Constitution is insane and living in La-La Land because they will never agree to such limitations. But what's good for the goose is good for the gander.

We shall eventually see the dynamic conservative Edward (Ted) Cruz seek the office of the President with the goal of turning the country back to the Constitution and its limitation on federal power, and when he does we will all be engaging in a huge national discussion about who actually is and isn't eligible to serve as President because he was not born in America but in Canada, and his father was not an American but a Cuban refugee who fled the growing communist oppression. Such a person with such a perspective is just what America needs

to shine a bright light on what statist totalitarian federal power devolves to when the chickens let the fox guard the hen house.

Will you support his unconstitutional bid for the presidency? What should your criteria be for deciding? Simple; the lesser of two evils is best, and a minor violation of the Constitution is far less onerous and destructive of the future than another term or two of socialistic-Marxism leaning democrat policies being forced on everyone in the country in stark violation of our nation's most basic tenets, those being independence and liberty, self-reliance, individual responsibility, and unalienable rights that belong to the People or to the States.

I would support his candidacy fully, especially after being plagued by the milquetoast Republican candidates of the last couple decades, -men who had no idea of what they stood for, and didn't quite grasp or embody "the vision thing". I'd hold my nose so to speak and mark his name choice instead of the democrat candidate's name. A glass half full is much better than a glass that's empty, and a man working toward the right goals is much better than a man or woman not only not working toward them but actively working against them.

What wouldn't I give to hear a newly elected Ted Cruz, upon the occasion of his inauguration as he prepares to take the oath of allegiance to the Constitution and fidelity to the office, then instead decline the office because he has become aware that he is not eligible to hold it. That would be a moment like when the thick curtain that separated the common outer area from the Holiest of Holies in Solomon's Temple was ripped by God from the top down to the bottom. That would mark the end of one era and the beginning of another.

That would explode the issue of presidential eligibility like nothing else will ever be able to, and put Obama right in its cross hairs where he belongs.

Short of that, the truth might never have a chance of breaking through the thick wall of indifference and resistance put up by the opposition in Congress, the Attorney General's office, and the courts, along with the sycophantic lame-stream media. They're all like Obama's flying monkeys, and act

like the three monkeys that see no evil, hear no evil, and speak no evil. That is perhaps the wisest attitude when your emperor is parading around without a shred of constitutional clothing to cover his naked ineligibility.

No one dares question the emperor, not O'Reilly, or Limbaugh, or Levin, or Hannity, or anyone else. They don't want anything to do with that third rail which they know will fry them good when Obama's henchmen in SEIU decide to start doing more than making threatening comments anonymously. They might be aware that he is from Chicago, home of Al Capone and institutionalized corruption by gangsters and unions and politicians.

They might be aware that he has brought that same kind of corruption to Washington and put it into power which is exercised not so much by breaking the law but by ignoring it outright and doing whatever they can get away with that is outside of the law and the authority with which they have been entrusted.

Short of such an action by such a person as Ted Cruz, it would seem that a badly needed revolution in constitutional awareness will never sweep nor creep across this country to a degree that would make a real difference. Americans will sleep on, focused on their favorite sports or gambling or drugs or music or video games or watering hole and their consciousness will never be raised nor awakened.

Asleep at the wheel, we will surely suddenly one day find ourselves sleeping comfortably in our own bed when the floor falls away from under us and we disappear into a giant sinkhole of debt and collapse of confidence in the entire American monetary system, -an eventuality brought to us by the limitless spending of the Marxist-in-Chief.

by a.r.nash march 2013 <http://obama--nation.com>

The intent of the "or" segment of the eligibility clause was to include naturalized citizens, NOT to include citizens born before the United States was established. Those born to subjects of the colonies were all already included by the first segment. You've made the same error that I made for a long

time and included in most of my writing, which is that the first segment means that only natural born citizens *of the United States* would be eligible, but it eventually dawned on me that that is not what it says nor what it means.

I explained the truth of their viewpoint in one of my last expositions, and how it occurred to me out of the blue one morning while my mind was dwelling in the year of 1787. I realized that they themselves were the ones that they referred to first as the men who were natural born citizens, which they all were; -natural born citizens of the sovereign state-nations of which they were citizens. They did not and would not require that Presidents be natural born citizens of the United States because national citizenship was secondary to State citizenship. It was the States that controlled citizenship, including immigration and naturalization, although Congress was assigned the job of writing a national uniform rule for naturalization. Nothing more.

reply:

"The Constitution does not **exclude** people from eligibility, it **includes** people."

response:

Man, you must not have read much of what I've written previously because the one point that I hammer home is that the language of the eligibility clause is totally exclusionary in nature: "NO PERSON ...*except*...(except these two exceptions and no others) is eligible. You can't get more exclusionary than by saying "No person" or nobody, or "no one except..." The word "No" does not translate to "All" or "any".

"No person" means no son of a foreigner. No person means no Obama. Of those born after the Constitution was adopted, only Americans born of American fathers were eligible to wield the power of the Commander-in-Chief. That power not long ago included authority over nearly 30,000 American nuclear bombs.

No U.S.-born son of a Saudi Wahabist Salafist radical Islamist is eligible to be President because such a son can never be a natural American citizen since he would be born as a natural Saudi Arab and not a natural American.

