

~concerning slavery & citizenship...

## Everything You Think You Know Is Wrong Part II

### From Permanent Subjects of the King to Independent Sovereign Citizens of a Republic

The sons of immigrants were viewed as being the same as their fathers since that was natural law (all off-spring are of the same life-form as their parents and belong to the same group) and it preserved the unity of the family since the wife was also the same nationality as her husband. -One family, one nationality, and one head, (the father). He represented the family in all matters, whether legal, civil, or political (-but not as much with the social, -that was at least equally a woman's role, if not primarily).

Justice Gray, in drawing a very, very tight connection to the rejected British system (under which all souls belonged to the land owner as his property (whether sheep, sow, cow, or slave, -or as an indentured servant or serf if born on his property to an indebted father) had the purpose to determine one's nationality based on the place of one's birth. That was not a bad thing in the United States since we had rejected slavery and servitude in theory so those conditions couldn't be inherited, but it was not an American thing. Rather, it was a relic of colonialism and imperial rule.

In the United States, citizenship was like a prize of freedom when contrasted with being the property of a king for life, so granting it to children of foreigners was not like putting a collar on them but providing a privileged membership in freedom.

But that privilege came with an attachment. That was a responsibility, a duty, an obligation for all able-bodied young men to help defend their nation against conquest, subjugation, slaughter, and enslavement. That obligation, at the primal level, was not one of *self* defense, but rather the defense of the defenseless, -those who the men could not tolerate being abused, gang raped, and enslaved, -they being their wives and daughters, their mothers and sisters.

Since they constituted half of the nation, defending the nation was not an option but a requirement of adult citizenship.

The men of a society, a country, and a nation are subject to their innate obligation to do their duty to defend the defenseless and protect their own group against annihilation or conquest. It is a fundamental element of how humans, and all social creatures, are wired. They defend their own if they can and must.

They are born subject to that responsibility if they are born male. That is the jurisdiction one must be under if their children are to be granted membership in the group, the nation, to which their foreign fathers chose to attach themselves.

Merely being born *within the boundaries* of a nation does not make one automatically subject to the obligation of national military defense unless that's the choice of a nation and it is such based on the reality that the father has made himself and his wife *members* of a society new to them, and are not just transients with no attachments except to their own foreign homeland.

If the government takes the position that if you are one of us, formally or informally, officially or unofficially, then you also bear the responsibility to fight any fires or any armies that threaten to destroy us or the civilization of which we are a part. You, by living in and among us, are one of us and are therefore not a mere guest. You have a duty to protect our home and keep it in good order.

If you live under our roof, and have a child in our home, then it is considered an adopted child who is a member of our family. If you have a child under some other roof, then it is not. If you live in our home, and work within the jurisdiction of our property, then you are under or subject to the jurisdiction of its leadership.

You therefore would be *within* the jurisdiction (territorially) as well as *under* the jurisdiction (the authority). You cannot live *within* our jurisdiction and not be *subject to* our jurisdiction (our authority). Rejection of authority would make one an outlaw, a renegade.

So you can see that the ambiguity of jurisdiction is too easily understood and explainable for Justice Gray to have confused the two. His conflation of them was purely deliberate. By committing the intellectual crime of declaring there to be no significant difference, he could then declare that anyone born *within* the jurisdiction is a citizen of the United States, while rejecting the requirement that they also be *under* its authority, which foreigners were not, as revealed by the words of the Civil Rights Act (“not subject to any foreign power”, meaning owing no foreign king any allegiance, and bearing no responsibility toward any foreign government).

His method of logic is known as Sophistry:  
unsound, specious or misleading but clever and plausible argument and reasoning.

What the court therefore did in their 6-2 ruling was to overthrow a clearly understood constitutional clause and replace it with an opposite one. They overthrew the constitution in that one regard, and did it deliberately because even though it was constitutionally wrong, it was socially right.

If the court had not done so, then millions of American children might have been viewed as purely foreigners. That would not foster the avoidance of crass discrimination against them. So the court did the *constitutionally wrong* thing but for the *socially right* reason. Rather than doing what was constitutionally right, and sticking to the true meaning of the 14th Amendment (written long before the massive influx of immigration from Europe and elsewhere) the court did what was best.

But its perverted distortion of the jurisdiction ambiguity was perverted even further by the Attorney General in 1898. Under his misinterpretation, the principle of natural law was demolished and *territorial* civil jurisdiction (state and federal) was nationally imposed as the meaning of being *subject to* the *political* jurisdiction of the United States government.

The enormous consequence of that inadvertent or deliberate error was that mere birth within the territo-

rial limits of the United States confers the grant of automatic naturalization for children of virtually *all* foreigners whether legal immigrants, illegal aliens, or transient guests from abroad (who enter via a Visa for a limited period only) except those who are indisputably *not* subject to federal authority, - namely, foreign ambassadors.

Everyone fails to recognize an inherent redundancy within the wording of the 14th Amendment because they do not understand the full meaning of its terms. Everyone focuses on the first requirement of birth within the United States but fails to grasp that it is rendered redundant by the second requirement.

They falsely presume that the opposite is true. They think that by being within the United States, all people (except ambassadors, Indians, and foreign invaders) were like foreigners within the Kings dominion, -namely, fully subject to the authority of the national government.

They believe that, and yet do so without realizing that it is simply not the case without exception, but that error is what is assumed and taught because no one puts the pieces of the puzzle together to create a comprehensive picture, -one that includes national responsibility as one's most fundamental area of subjection to federal authority.

When you take a significant fact into account, the picture significantly changes, -or gets all messed up from the viewpoint that thinks it knows what "jurisdiction" means, (attaching a territorial meaning that excludes only foreign ambassadors).

They think that since essentially all people born in the U.S. are fully subject to national authority (with natural citizens comprising +/- 97% of the population) that it is okay to just assume that virtually 100% are.

That is a fundamental error because it follows no order of principle. It is lazy, thoughtless, unconsidered, uninformed, and inaccurate, -a "good-enough for government work" sort of attitude and approach.

The reality is that a tiny, tiny percentage of births are to mothers who are total strangers to America or were never under any federal authority, -as well as similar fathers. They give birth within the U.S. but are not subject to the national authority because they are illegal aliens or foreigners legally present on a strictly limited temporary basis ("non-immigrant aliens") -or were fathered by such persons, -persons who, while here, married American women.

The tiny number (percentage-wise) of children born of such people results in them being "out-of-sight, out-of-mind" and therefore overlooked and never contemplated (until Ann Dunham's child became the President of the United States).

The redundancy that goes unrecognized by all is the fact that every child born of foreign *immigrants*, (-just as is true of citizens) is deemed to be an American because they are born in subjection to our national authority. Put another way, every citizen is so subject because being subject is a fundamental part of citizenship, therefore every foreign adult male who is subject also, will father children who are also subject, - just like citizens.

Which foreigners are so subject? Only immigrants, permanent residents, the domiciled aliens. Because they share responsibility for national defense, they can be drafted in time of war.

Foreign guests cannot. They (and any children born to them within the United States) do not have the same status as the others; not in regard to their presence here nor in regard to the responsibility of national membership. They are in different categories. All foreigners are not equal. Some are immigrants and some are alien non-immigrants who remain subject to their own government.

If an immigrant's children are born in subjection to the U.S. government by being born within U.S. borders, then they are deemed by the Supreme Court to be U.S. citizens. Thus the actual wording of the 14th Amendment means the same thing as this wording: "All persons born subject to the full authority of the federal government of the United States are citizens of the United States; aka: Americans."

Notice what is missing but not even needed? It is any mention of being born within the United States. Instead of that redundancy, all that's needed is being born in subjection. If you are born of Americans, then it does not matter where your birth takes place because you are automatically an American (and subject eventually to all the requirements of citizenship if you choose to live in your national homeland) [unless your American father has never lived in the United States, -then you are not an American].

But even living abroad does not exempt one from their national responsibility. They must register with the Selective Service at 18 years of age.

Who must register? Only males. That is because from ancient times men have been the defenders of women, along with children and the elderly. That being the universal norm, men were subject to the authority of the national leadership in its task to defend their nation. They owed it a duty to do so, and that duty is what was known as natural allegiance.

Men owed their King a duty to obey his orders to defend the nation when called, being born into a role that at adulthood would evolve into subjection to his authority to require them to fulfill their natural duty.

Females were not born into that role, and as the defended, instead of defender, they were not subject to the King's authority over men. They were not born in subjection to the national authority regarding national defense and therefore the concept of allegiance to that authority had no connection to them, any more than to children and babies.

The 1866 Civil Rights Act declared U.S. citizenship for those born in America with no attachment or subjection to any foreign power. Foreign women were not subject to any foreign government since they were only subject to their father or their husband, so if they gave birth in the United States without a husband or father, then their child would technically be an American citizen, -at least until 1868 when the 14th Amendment superseded the 1866 Act -requiring that one be not only born within the United States, but also born subject to its jurisdiction.

A foreign woman was not subject to the authority to which men were born subject and so the nationality of her native-born children was not determined by her nationality but by that of her husband who either was obligated to serve if called, or was not obligated since he was merely a temporary guest and not a permanent resident immigrant.

So women had no connection to national duty, service, allegiance, obligation, obedience, and subjection to national jurisdiction. Thus nationality flowed from he who was subject, -the father, -the head of the household.

But if he died before his child was born, and he had been a non-subject, -non-immigrant foreigner, then the mother would become the head of the household, and therefore her position would be in place of her husband, and her nationality would be passed to her children instead of his foreign nationality.

If one was born of foreigners then one is not subject to the U.S. national authority if born outside of the United States, -so being born subject to the American authority intrinsically implies that one so born was born *inside* the territory of the United States. Otherwise one has no connection to its authority.

Does citizenship result from birth location or from subjection? The Attorney General in 1898 guessed which it is but guessed incorrectly. Or didn't guess at all and just choose one over the other. Can you have one without the other if fathered by a foreigner? Yes, if a "non-immigrant alien" fathers a child who is delivered from the womb within U.S. borders, -but if he *is* an immigrant, then the answer is "no".

Which is true: Birth **Location = Citizenship**, -or... **Subjection = Citizenship**? Which is it? Subjection comes before birth, since the father must be subject already (as a legal immigrant) in order for his child to be born subject also. Otherwise, they are both subject, literally, and latently, only to the government of his foreign homeland.

The immigrant father's subjection to American authority is akin to a worker who is pushing the hand-truck of native-birth which runs on the wheels of the

14th Amendment's automatic naturalization authority towards the destination of citizenship. Without the worker, nothing happens. So it is without subjection. Native-birth alone, like the hand-truck, goes nowhere, -not arriving at citizenship while lacking the worker and the wheels.

This much is clear: you can have native-birth with foreign parents but without subjection. But...you cannot have subjection without native-birth if born of foreign parents. The native birth makes it possible for one to be born in, under, and fully subject to the national authority of the American government. Without that subjection (which immigrant fathers are under) American citizenship is not conveyed to their children born here.

National boundaries do not make alien-born children into Americans, but without being within U.S. boundaries, it is impossible to be born *under* and *subject* to its jurisdiction. If one is born subject, then that was made possible by being within the expanse of American authority.

Being so born does not in and of itself convey citizenship, as was the case in Puerto Rico, Guam, and other islands that the United States controlled. Vietnam was once almost akin to them since there were half of a million of us there at one time (more than several states' entire population).

American Samoa, Swain's Island, and I assume the American Virgin Islands as well, are all under the sovereignty of the United States, yet their populations are only U.S. Nationals and not U.S. Citizens. So the artifice of birth location is not determinative of the principle by which citizenship is ascribed. It is merely the means by which one comes under American authority.

Those islands are not a part of the United States even though it was and is sovereign over them, so the fact that the people of Puerto Rico and Guam were granted citizenship by the United States Congress does not imply that they had any right to it merely because they were ruled by and born within the authority of the United States.

Before citizenship was granted, they were not responsible to share in the responsibility for national defense. After citizenship was granted by Congress they became responsible. They can be drafted, but the men of American Samoa cannot because without citizenship they are not subject to the full authority of Washington. They are neither fully foreigners nor fully Americans. Just like a child such as Barack Obama, -born of a father who was subject solely to the authority of Britain, even though, like all visitors, he was required to not violate the laws or customs of his host nation. Other than that limitation he was under the umbrella of international law, treaty, and the law of nations while attending college in Hawaii.

Immigrant men are as fully responsible as we are to protect and defend our nation and our future. Their native-born children *should* be citizens. But no one can give a single reason as to why the child of someone who comes here eight and a half months pregnant, has a baby and then leaves back to her homeland, should be viewed as being an American. No one can give a single justification because none exists.

We are living in a brain-dead country that does not even know what it is doing, -but the rest of the world does and realizes just how stupid we are and hopes to take advantage of our stupidity to the benefit of their native-born child, (if they can get here) as well as eventually their entire family when they are all granted admission based on the citizenship of one who is not even truly a citizen except by an asinine error, -or by a deliberate perversion of a Supreme Court opinion, -one that defies all common sense.

So ask yourself, is not everything that you have always believed about the citizenship of children born of foreigners wrong? Well, you are not alone, unfortunately; -unfortunate for our future survival as a nation (-as a nation that we would recognize).

by Adrien Nash Sept. 2013