

OF PRESIDENTS, HYBRIDS,
& TERM OF ART FANTASIES

~or how Presidential Eligibility
has been warped by hybrid concepts

There's a war coming. It's been ongoing now for five years but only in the form of skirmishes, like a smoldering fire that has not yet ignited. But it will in the future if the latest "young Turks" in the Republican Party become leading contenders for the office of President.

When that finally happens, and it may be sooner rather than later, the meaning of the Constitution's requirement that the President be "No one except a natural born citizen" will eventually have to become the center of attention because it is not a settled issue by any means. Nearly everyone who expresses an opinion is doing just that, -expressing an *opinion* and not stating a fact, nor explaining their opinion based on facts or history or logic or nature.

There are three views on the matter. One is the obviously contrived view of the supporters of Obama's supposed constitutional legitimacy. Their fantasy is that one can and must bastardize the meaning of "natural" by insisting that it actually means "native", -as in "native-born citizen". The mountain-size error in that view is that not all native-born citizens are natural born citizens since some are not born of Americans but of aliens. Those two groups have nothing in common and aliens may even be anti-American, -or raised to be pro foreign monarch, nation, and government (or religion), or worse, raised in their foreign father's homeland as well, and imbued with his political, national, and/ or religious views and loyalties.

But the opponents of the fantasy that "native-soil birth = true natives and natural citizens" have a fantasy of their own. They both have two major things in common without even realizing it:

1. Both embrace the fantasy that "a natural born citizen" does not mean what the words mean but instead is solely defined "legally" as a "term of art" in the political realm.
2. Both embrace something that does not exist in nature except as a very rare anomaly, and that is a compound entity from two different sources, -namely; a hybrid nature.

Animals and humans mate with and reproduce with their own kind. Hybrids result when living things from two different sources reproduce, whether it be hybrid fruit (the man-made nectarine) or hybrid animals (mules, lyers, and tignons, -or the cross-breed off-spring of Grizzly bears and wayward Polar bears)

But such results are never the natural pattern of nature because disparate life-forms do not make natural off-spring like themselves. When you cross species (if possible) or breeds, you get something different, a **combination** of the parents' different traits which is the definition of a hybrid. In the Science Fiction world, Mr. Spock is a hybrid. Neither true Earthling nor true Vulcan. Not a natural specimen of either world.

The Obama defending adherents to the "native-born = natural born" dogma hold to the fantasy that the Presidency was intended (by our very cautious and concerned founders and framers of the Constitution) to be wide-open to the sons of our enemies as long as their wives managed to give birth within U.S. borders, delivering a child who would grow up abroad to be loyal to his King and nation while being free to emigrate to America at 21 years of age cloaked in the falsehood that he's a natural American, and then run for and win the presidency at age 35 following 14 years of residency.

This is what their dogma asserts is something our forefathers either wanted or were too stupid to have anticipated being possible. Well, they are wrong on both counts.

Question: How is that convoluted view related to hybrids? Answer: By parentage. Native-birth citizenship never comes with native-birth being the only determinant of one's nationality because when it is relied on it is because natural national membership can't be relied on since the father, -or mother, is an alien. The consequence of having a parent who is an alien is that their child is a hybrid child of two different nations via *jus sanguinis* -"by right of blood", (-natural membership via parentage).

Such children are not natural citizens of either nation because they are not solely born of either nation but of both. They are dual citizens; i.e., hybrids with two different sources of nationality (a mother from one country and a father from another).

Their circumstance is different from those with both parents being of another nation but having emigrated to the United States. They are hybrids also but not by different parental nationalities but by different means of obtaining citizenship; -both *jus soli* (native birth, -right of soil, 14th Amendment) *and* *jus sanguinis* as well. That makes them also dual citizens.

So whichever the situation was when one was born, the result is a hybrid form of nationality. Such a form of nationality (dual nationality) is not natural in the political realm because it is via a combination of separate national origins or a combination of separate principles; one being a natural principle while the other is a man-made artificial principle rooted in the unnatural existence of national borders.

Birth is a 100% natural event while borders and nations and sovereignty are 100% unnatural things since they are not of nature but of man and his dominance over members of his natural group or other groups (be they slaves, serfs, servants, subjects or citizens).

Some borders can be natural things when great rivers and oceans are involved, -and mountain ranges as well, but it takes humans to designate them as boundaries, -with the exception of oceans or great lakes. But most boundaries are abstract lines artificially imposed resulting from conquest, claim, or treaty. So the question must be asked: What does natural membership by birth have to do with legal membership by law based on artificial borders? The answer is that although they have nothing in common, they both can result in national membership.

That makes perfect sense and is the necessary means to judge which national group or groups one belongs to. But what makes no sense is that which both Obama supporters and Obama opposers resort to. They both claim that the words “natural” “born” and “citizens”, when used in combination, do not mean what the words actually mean but instead mean what they claim that they mean.

They impose their own preferred and embrace definition of the combined meaning by claiming that the words together constitute a “legal term of art”, and they attach their own definition of what that “term of art” means.

The problem is that they both successfully refute the logic of each other’s position, and yet both refuse to acknowledge the truth of the refutation that debunks their dogma.

Their beliefs are like a sacred catechism to them which they hold onto like those who held to firm beliefs regarding the origin of the universe. One camp was “certain” that God created the universe and it has remained pretty much unchanged since then (the steady-state universe) While their opponents believed that the universe is endlessly and infinitely expanding and not steady in any way (on a macro time-scale).

It turned out that both were wrong and both were right. The universe had a beginning and is infinitely expanding from that explosive beginning, but before that was learned, neither side could conceive of how they could possibly be wrong and the opposing side right about anything. Clearly, certainty is not a determinant of factuality.

The supporters of Obama’s eligibility are not the only ones to cling to a theory that is built on a hybrid nature. The opposers of his presidential eligibility also cling to a theory that is entirely built on a hybrid notion. It is a notion that exists nowhere else on Earth except in their imaginations. It is the notion that nationality is dependent on two opposite means of national membership being necessarily combined in every citizen who is not strictly a citizen by law.

That means that about 97% of American citizens must meet the unrelated criteria of both law and nature; -not one or the other. That means that their American citizenship is not natural citizenship but instead is an amalgam of the two unrelated means of citizenship; both *jus soli* *and* *jus sanguinis*. Thus it is natural citizenship combined with legal citizenship, -as a hybrid concept which requires both.

They go to great and elaborate lengths to support that Frankenstein monstrosity, relying on several huge errors that they gloss over and ignore as if they don’t exist. That is an unacceptable situation because, as I said, a war is coming thanks to the source of citizenship for Ted Cruz, Marco Rubio, and others, and it is imperative that those who sup-

port the Constitution do so correctly and knowledgeably and with a united front.

That can't happen as long as their error is allowed to stand because it flies in the face of fact and logic, -of nature and reason. But they refuse to consider the possibility that their views contain any errors, and so it is beholden on us who can see them clearly, and realize how huge they are, to point them out. And so that is what we must do or else the truth will never be unburied and stand and be recognized by all. So let's do it; let's list the errors so they can be seen in stark contrast to the truth, to common sense, to history, and to the supremacy of the rules of language and the meaning of words.

Error # 1. Pervert the meaning of words. That can be done overtly or covertly, either with government authority or without it; either with seemingly logical reasons or without any logic at all (think Orwell's "1984"). The defenders of Obama take the distortion of logic that the British government of past Kings imposed when it moved from saying that alien-born children of foreign immigrants are equal to natural born sons of England to saying that they are not only like them but they are them as well.

They thereby ceased asserting that they had the same rights as natural born subjects of the King to saying that they *are* natural born subjects also since they were born subject to a father who was subject to the King—even though he was a subject (for life possibly) of another King who ruled his former home.

Thus the meaning of "natural subject" was bastardized by switching the emphasis from "natural" to "subject".

When "natural" is focused on, it is clear that only children of Englishmen would be the King's natural subjects; -not children of aliens, but when "subject" is focused on, the King could claim that anyone who was subject to him was his subject (natives and foreigners alike) and therefore any child born to such a subject was *naturally* subject to the King also.

With that shift in the focus, a shift was also possible in the meaning of what "natural" refers to. It should refer to nature and a natural connection (through parentage) to the authority of the leader of one's nation, -instead of referring to that which is "reasonable", even though not natural.

Of course it is reasonable that children of immigrants are born as subjects of the King, but that which is reasonable is different from that which is natural. But once the language was bastardized with the backing of governmental authority, then the falsehood was forced on public consciousness that merely being born within the King's domain somehow made one a natural subject. It didn't have to make sense since it came close enough and with government authority behind it.

That is the story of how "a natural born subject" was bastardized and then adopted in the thinking of those ignorant of the principles involved (all while fully aware of the authority of the Crown to bend the rules of language in order to change the focus of the words).

How did that impact America and the Obama eligibility issue? It came into play when the Supreme Court majority in the case of Wong Kim Ark (1898) choose to lie about the American history and relevance of English common law on American nationality.

By promulgating the falsehood that it was controlling both before and after the Revolution and the adoption of the Constitution, they could claim that the 14th Amendment did not mean what it meant when it was written and ratified but instead meant what the words says, with their choice of what they meant being imposed by their 6-2 vote.

They choose that its words: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the state wherein they reside." meant that such children shall not be viewed as they had been viewed by the federal government from the beginning, including after the adoption of the 14th Amendment, as aliens just like their father because since the United States was supposedly under the supremacy of English law, -and it recognized such children as subjects, therefore the United States had no choice in the matter and must similarly recognize the children of aliens as being American citizens (from birth).

Their ruling was not a bad thing socially, but was a bad thing constitutionally since it was unsupported by fact or history or American legal precedence, and was actually in violation of them.

How did that decision regarding children of immigrants impact assumptions as to Obama's eligibility? It didn't directly, but did so through a great distortion of that ruling in two gigantic leaps. The first was made by the U.S. Attorney General in 1898 when he decided the meaning of the Supreme Court's opinion. He "ruled" that their holding did not cover what it actually covered (children of immigrants) but covered all souls born on American property except children of Ambassadors.

The extent of that new policy was ridiculous on its face because it meant that if a woman from Cuba was flying to China but during a re-fueling stop-over in Hawaii, gave birth, her child, who might never step foot in America, would be an American citizen. One can't help but ask; "On what logical basis would her Cuban child be an American?"

But the perversion didn't stop there. It took another giant leap forward via the assertion that anyone born in the United States is not only born a citizen thanks to the 14th Amendment, but is also a *natural born citizen* and eligible to be President of the United States and Commander-in-Chief of the United States military and nuclear forces.

Question: How does one go from being merely a 14th Amendment "born citizen" via automatic legal naturalization at birth to being a *natural born citizen* as though born of American parents? Answer: Pure fantasy and imagination.

There's a wide gulf between the two, but they leap it by faith and the dogmatic assertion that since the English accepted the bastardization of the word "natural" then therefore so must the American public also.

They legitimize that leap by the same claim as the opposers of Obama's eligibility; namely, by labeling the common English words "natural born citizen" as a "term of art" which is "defined" not by the English language, nor by nature's law (the "right of blood"), nor that combined with human law (the "right of soil") as claim the opposers of Obama's eligibility, -but by the "logic" that the old English common law "definition" controls the meaning of those three words.

Determine your preferred meaning for the "definition" for the "term of art" and you can use it to support or discredit Obama's eligibility. But what if there is no term of art? What if that is all fantasy in the

American realm, and even abandoned in the British realm? Then what is left on which to define the meaning of those three words? Answer: The English Language, and the meaning of individual words, -which together mean: Natural born citizens are those born of American parents and not foreigners.

If you stand in the middle, instead of at the two extremes, you realize that they are both relying on a perversion of language to support their views. The supporters of Obama pervert those three words by ignoring the meaning of the word "natural", while their opponents do a similar thing by perverting the meaning of the word "born", -distorting it into a reference to a human-designated geographic location instead of its actual meaning which refers to the natural event of a baby exiting the womb as the off-spring of its parents' nature (and, when combined with "citizen", inheritor of their nationality).

Pick your perversion. Base your choice on whether or not you prefer one of the two "term of art" "definitions" or the other. Either way, you'll be wrong. The truth, the reality, is in the logical middle where words mean what they mean, -and not what someone wants them to mean. Let's look at what those three words mean in the "term of art" definition of the Obama opposition which we can call:

The Soil & Blood, Life & Law Fantasy Doctrine

1. Any words that can be categorized as "a term of art" when taken together can be assigned any meaning that can be justified by any manner of logic, whether errant or inerrant. Justifying errant logic and its conclusions depends simply on the use of more errant logic, -logic that, even when flawless, is the fruit of a tree with a fundamental flaw of falsehood.
2. Since terms of art require definitions, one must be found and legitimized even if no term of art exists in relationship to a word or a set of words. If in reality no term of art exists, then it follows that any definition of it cannot be anything other than a fabricated fantasy.
3. Require no proof that the words in question are in fact a term of art.
4. All descriptions are by nature comprehensive definitions. Although definitions of terms of art

cannot be based merely on incomplete descriptions, descriptions must be labeled unrelentingly as definitions if they are to be sold as terms of art.

5. When a term of art definition is derived from a foreign language which has been mistranslated, that fact must be glossed over, ignored, and subjugated to the superior importance of the assumed definition of the term of art instead of made subject to the laws of language (which do not allow such perversion).

6. If the mistranslated language includes the term of art relied on for a theory, then it is perfectly acceptable to pretend and assert that the mistranslated words are what is being “defined” by the statement describing something else, because doing so supports that theory and its claim that not only does a term of art exist, but so does a definition of it, when in fact neither exists because the language is mistranslated, -and even if not, it doesn’t define anything by being a mere description.

If one writes: “Children born in Israel of Jewish parents are natural born Jews.” that statement, while true, is not a definition of Jews because not all Jews are born in Israel.

If one writes: “Natives of Israel are those born in Israel of Israeli citizens.” it is also true until you mistranslate “Natives of Israel” as “Natural born Jewish citizens” then it becomes nonsense because some citizens of Israel are not Jewish and some Israeli citizens are not born in Israel.

That being so, how can one then define that mistranslation as meaning that all Jews or all Israelis are born in Israel and all others are non-Jews or are aliens and not natives or citizens of Israel?

Such logic has taken a detour to fantasyland, so grounding an entire doctrine on it can only produce a false doctrine. And that is what folks such as attorney Mario Apuzzo have done with the mistranslation and mischaracterization of the writings of Emmerich de Vattel who wrote the massive tome; *The Law of Nations or the Principles of Natural Law* (1758). He wrote that the natives are those born in their parents’ country. In the original French he used two words: “*Les naturels ou les indigenes*” meaning “the natural inhabitants, or indigenous population,..are those born in the country of parents who are citizens.”

The absurd error of the Vattelians is in claiming that “*Les naturels*” is correctly translated as “Natural born

citizens” and, even worse, claiming that the observation or description of Vattel was in regard to those English language words and thus constitutes an ironclad “definition” of them when in fact he did use them and was only describing who the natives are, -not who natural citizens are.

Are all Jews natives of Israel? Does native-birth in Israel define who all Jews are? Does native-birth on the reservation define who all American Indians are? Does native-birth within U.S. borders define who all Americans are? Or is it naturally all about the parents and who they are?

7. In the Vattelian Catechism, it is both that are necessary; soil and blood. To be a natural member of the American family you must not only be born of Americans but be born *in* America otherwise you are a foreigner in need of naturalization by the supposed authority of Congress.

That means that if you are the son of a President who was the son of a President, both of whom were awarded the Medal of Honor for bravery in combat, and who had ancestors who came to America on the Mayflower, you nevertheless are not a natural citizen of your own country and a natural member of the American family if your mother could not make it all the way across the border before you exited the womb.

You would instead be an alien, -and, in order to be seen as being an American, would need Congressional permission via a naturalization statute.

In addition, you are in the same general category as all foreigners (non-U.S. citizens). You can never be President because your citizenship is not “natural” but is statutory. So being born of Americans means nothing. Natural citizenship does not exist even though it is something mentioned in the laws and writings of all nations.

In the Vattelians dogma, natural citizenship is not enough to be a “natural born citizen” because you either fit their “definition” or else you are neither a natural born citizen nor eligible to serve as President.

They never say that it is not enough to be a natural citizen since they have to avoid acknowledging that such a thing as natural membership exists. In

their fantasy, all that exists as natural citizens of the United States is Americans born in America -in conformity with their hybrid definition. Soil & blood.

They get it right by recognizing that not all citizens from birth are natural born citizens since some are born of foreigners. They get it wrong by not recognizing that all American children are natural members of the American family, and where they leave the womb is irrelevant to what parents, tribe, state or nation that they naturally belong to.

But their error doesn't end there. They further pervert logic by claiming that the Supreme Court in the case of *Minor v Happersett* "relied on", "supported", and adopted the falsely concocted "definition" of "natural born citizen" based on Vattel's description of natives. Thus, they feel doubly confident because they can claim Vattel as their authoritative source along with the Supreme Court which noted his description in explanations of their thinking in arriving at their official holding or opinion of the court in various cases. Like Vattel, none of them treated his observation as a "definition" which would then be "binding precedent" regarding the meaning of a "term of art" that's not even found in Vattel's writing, nor therefore binding on the nation and the election of Presidents.

7. They have one more hurdle to leap and that is the language used by the first Congress of the United States (-one comprised of many founding fathers and framers of the Constitution) when they wrote the first naturalization "uniform rule" which the Constitution empowered them to do in order to make uniform the differences between the naturalization statutes of the individual sovereign States. That was so that the waiting period before applying for naturalization would not be all over the map, and the character requirements would also be uniform nationwide.

What did they write that debunks the Vattelian doctrine? They wrote that the children of Americans born abroad were to be recognized not merely as "citizens of the United States" as were naturalized foreigners and their children, but as "natural born citizens". That language was a shout in the ear to any America official, State or Federal, that would dare to view the children of Americans as being dependent on the rejected British system of *jus soli* subjection to the Crown and

who might consequently view non-native-born Americans as aliens, and therefore ineligible to serve as President.

They were attempting in that language to raise a bulwark against any future encroachments against the rights of such Americans because the language used provided them that which the Constitution lacked since they and the subject of their eligibility were so invisible in the minds of the framers at the time that they were totally over-looked.

But they were not over-looked after the Constitution was written because American Ambassadors, like Thomas Jefferson and John Adams, would have noticed that short-coming in relationship to their sons born abroad during their many years of service. They would have written to someone of significant importance about the first Congress correcting the over-sight, and no doubt such a letter exists in some dusty archive somewhere.

But the language of that first Congress was not understood by the next Congress a half decade later, so it altered it to make it uniform to that used for foreigners and their children upon naturalization, and thus stated that such Americanized foreigners and foreign-born Americans were both "citizens of the United States" (and therefore not aliens). The protection offered by the first Congress regarding presidential eligibility thus vanished without anyone even realizing it was gone or why it was there to begin with. Out of sight, out of mind.

But the Vattelians have to put a different spin on the alteration of the original language passed by the founding Congress by claiming in effect that they didn't know what the heck they were doing, had no authority to do it, and thus it was rightful and proper to undo it by "correcting" the "error".

The falsity of their view is found in natural law, but they must of necessity ignore it completely, -like it doesn't exist. In other words; children are not the same at their parents. Parents pass nothing to their children in the way of status, social standing, membership in their country, nor citizenship in their nation. It is all dependent on the policy of the gov-

ernment and the laws of the Congress, -a body which the natural citizens of America created of their own free will and wisdom. But now the creation rules the creator! If not, the whole hybrid theory crumbles at the feet of the organic and primal supremacy of natural law and natural membership.

The Vattelians hold that the later Congress was the wise one and “knew” that its predecessors made a serious mistake which they then in turn corrected by eliminating the specific presidency protection language, substituting in its place the generic language that covers all citizens.

They rely on that change to declare that no American born over the border is eligible to be President, -and that Congress agrees as evident by their “stripping” the natural citizen status from Americans not born within U.S. borders.

They refuse to acknowledge that natural citizenship cannot be stripped from natural citizens any more than race can be stripped, or the stripes of a tiger can be eliminated by some law. If citizenship is natural then that means that you are by nature a citizen of your parents’ nation, -organically, via political inheritance.

If you require the permission of law then you are not a natural citizen but are a legal citizen and consequently not constitutionally qualified to be President. Two different realms and two different sources of citizenship. One natural, the other man-made.

The Vattelians cannot accept the natural source because it would destroy the need for their term of art definition and their explanation for the naturalization language in 1790 which unmistakably labels all children born of Americans as being natural born citizens. Without those two support pillars holding up their dogma, it collapses. And it should because it is based on false premises, just like that of their opponents. Neither side gets it right because they both pervert language and logic and reject Life as the decisive factor in determining to whom and to what one naturally belongs.

Without the principle of natural membership, one not only does not belong to their own nation if not born within its artificial man-made borders, but one does not even belong to their own family and parents unless born under their roof. How much sense does that make?

That’s a rhetorical question.

by Adrien Nash Oct 2013
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