This can be found at: http://Anderson4TheConstitution.com/2.NaturalBornCitizen-HowDefinedByTheFoundingFathers-ORIGINAL-INTENT.pdf
Other related: http://Anderson4TheConstitution.com/3.NaturalBornCitizen(SomethingExtraordinaryHappeningParts1&2-byDevvyKidd).pdf
http://Anderson4TheConstitution.com/1.DicksFairlyCompleteExplanationWithDefinitionOfNaturalBornCitizen.pdf

- Natural Born Citizen –

by Dick Anderson 1-6-2016

How it was Defined by the Founding Fathers at the time of the CREATION of our Constitution.

Unfortunately, there have been many articles written; supposed PROOFS, legal interpretations and other forms of DEMAGOGUERY, with lots of IRRELEVANT facts and even more LIES, in the form of "Fault by Omission". They were designed to MISLEAD the reader into believing UNTRUTHS.

This paper relates to Original Intent – What the Founding Fathers meant and why they defined that the President of the United States (ONLY this office was so defined) must be a Natural Born Citizen.

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It was, and is, well known that all the Founding Fathers were fully aware of the meaning and definition of a NATURAL BORN CITIZEN as it was defined in **Vattel's** "The Law of Nations" - published in 1758 and translated into English in 1760 (and no other source was known to the Founders).

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NOTE: The Constitution does not explain the meaning of "natural born".[11]

However, the definition was found in **Vattel's** book ***"The Law of Nations",*** which was published in 1758 and translated into English in 1760 (and no other source was known to the Founders).

Furthermore, 'Law of Nations' is even REFERENCED within the Constitution, in Article I, Section 8 of the Constitution.

Its value and use was documented by George Washington, John Jay, James Madison and Benjamin Franklin.

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This treatise was considered the "final word" on all things about all nations during the time of our founding (and still is to this day, by any unbiased scholar), and was used DAILY by the Founding Fathers while they were creating our Constitution.

As such, **this treatise defines *ORIGINAL INTENT*** - the ONLY legitimate way to interpret our Constitution, or any other generated "paper" (whether it be by a government or not) at any time or any place in the World - **then, now or forever.**

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"*A Natural-born Citizen is the child of parents that are CITIZENS at the time of the child's birth."*

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Book 1, Chapter 19, 212: *"The natives, or natural-born citizens, are those born in the country, of parents who are citizens."*

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It does not count that the parents may become naturalized at a later date or that they may have been living here for any amount of time.

If the parents weren't citizens at the time of the child's birth the child is NOT a Natural Born Citizen - PERIOD.

Whether we like a man, or not, or want a man for President, or not, is IRRELEVANT.

We must recognize and follow "*The Law*".

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Benjamin Franklin had copies of Vattel's 'Law of Nations' and Franklin said (in a letter to Charles W.F. Dumas in December of 1775):

"I am much obliged by the kind present you have made us of your edition of Vattel. It came to us in good season, when the circumstances of a rising state make it necessary frequently to consult the Law of Nations. Accordingly, "that copy which I kept has been continually in the hands of the members of our congress."

Also, Vattel also deals with this exact issue in Book 1, Chapter 19, 212:

"There are some states in which the sovereign cannot grant to a foreigner all the rights of citizens; for example, that of holding public offices; and where, consequently, he has the power of granting only an imperfect naturalization."

Pretty obviously, this applies to the United States, as that is EXACTLY what our Founding Fathers inserted into our Constitution.

The Supreme Court HAS recognized this definition on at least TWO (2) occasions:

Minor v. Happersett

The Supreme Court opinion (written by Chief Justice Morrison Waite in **1875**) observed that *"new citizens may be born or they may be created by naturalization" and that the Constitution "does not, in words, say who shall be natural-born citizens." Under the common law, according to the court, "it was never doubted that all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or natural-born citizens, as distinguished from aliens or foreigners."*

Plessy v. Ferguson

Alexander Porter Morse, the lawyer who represented Louisiana in Plessy v. Ferguson,[39] (1896) wrote in the *Albany Law Journal*: (in March 1904)

..the framers generally used precise language; and the etymology actually employed makes the meaning definite...

Those resident in the United States at the time the Constitution was adopted were made citizens. *Thereafter the president must be taken from the natural-born citizens. If it was intended that anybody who was a citizen by birth should be eligible, it would only have been necessary to say, "no person, except a native-born citizen; " but* ***the framers*** *thought it wise, in view of the probable influx of European immigration, to provide that the president should at least be the child of citizens owing allegiance to the United States at the time of his birth.*

...the first congress entertained and declared the opinion that children of American parentage, wherever born, were within the constitutional designation, "natural-born citizens": The act is declaratory; but the reason that such children are natural born remains; that is, their American citizenship is natural – the result of parentage – and is not artificial or acquired by compliance with legislative requirements. (not by legal means, or "naturalized")

What was the obvious purpose and intent of the limitation? Plainly, it was inserted in order to exclude "aliens" by birth and blood from that high office, upon considerations which naturally had much weight at the time of the adoption of the Constitution. It was scarcely intended to bar the children of American parentage, whether born at sea or in foreign territory.

A natural-born citizen has been defined as one whose citizenship is established by the jurisdiction which the United States already has over the parents of the child, not what is thereafter acquired by choice of residence in this country.

Our conclusion is that the child of citizens of the United States, wherever born, is "a natural-born citizen of the United States," within the constitutional requirement; and, as such, if possessed of the other qualifications, would be eligible for the office of president of the United States.

Rationale

The purpose of the natural born citizen clause is to protect the nation from foreign influence. [7]

There was also a perception that a usurper from the European aristocracy could potentially immigrate and buy his way into power.[8]

Constitutional Convention

At the close of the Convention, Alexander Hamilton conveyed a paper to James Madison he said delineated the Constitution that he wished had been proposed by the Convention; he had stated its principles during the deliberations. [12] Article IX, section 1 of Hamilton's draft constitution provided:

"No person shall be eligible to the office of President of the United States unless he be now a Citizen of one of the States, or hereafter be born a Citizen of the United States."

On July 25, 1787, **John Jay** wrote to **George Washington**, presiding officer of the Convention:

> *Permit me to hint, whether it would not be wise and seasonable to provide a strong check to the admission of Foreigners into the administration of our national Government, and to declare expressly that the Command in chief of the American army shall not be given to, nor devolve on, any but a natural born Citizen.*

While the Committee on Detail had originally proposed that the President must be merely a citizen as well as a resident for 21 years, the **Committee of Eleven** changed "citizen" to "natural born citizen" without recorded explanation after receiving **Jay's** letter. The Convention accepted the change without further recorded debate.[16]

Every single one of them knew EXACTLY what that meant – and they concurred.

http://www.worldlibrary.org/Article.aspx?Title=Natural_born_citizen_of_the_United_States

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Each Citizen should seriously reflect upon whether he is content to live in a Nation of "Rule of Law", which treats all its citizens with the exact same equality, or he wishes to take a gamble on a Nation of "Rule by MEN", which changes according to the whims of the men in charge.

In the latter case, it is not a question of "WILL the interpretation of law turn against me?" It is merely a question of "WHEN will the interpretation turn against me?"

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Is Ted Cruz Eligible for the Presidency?
He was born in Canada.
His parents were NOT American Citizens at that time of his birth.
Also, shortly before he announced his candidacy, he officially renounced his Canadian Citizenship.
WHY?

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For the record, Marco Rubio, Bobby Jindal and Barack Hussein Obama are **NOT** Natural Born Citizens either.
(our government has gone astray - they are PURPOSEFULLY ignoring The Law – WHY?)

Note also, that many demagogues also quote Black's Law Dictionary, claiming it to be the 'final reference' (or some such) in Legal Definitions, which does not require US Citizen Parents to be a Natural-Born-Citizen.

This is BALONEY!

Black's was not even written until 1860 – which is 73 years AFTER the Constitution was Created.

Read more: http://www.americanthinker.com/blog/2016/01/the_cruz_natural_born_citizen_fake_controversy.html#ixzz3wcjuDcDb

Source of the following: https://publiushuldah.wordpress.com/category/natural-born-citizen/

David Ramsay's 1789 Dissertation on Citizenship:

David Ramsay was an historian, Founding Father, and member of the Continental Congress [REMEMBER: This is where they "pounced" on Vattel], whose *Dissertation On The Manner Of Acquiring The Character And Privileges Of A Citizen Of The United States* was published in 1789, just after ratification of our Constitution and the Year the new Government began.

It is an interesting dissertation and only 8 pages long. At the bottom of his page 6, Ramsay states:

"The **citizenship** of no man could be previous to the declaration of independence, and, **as a natural right, belongs to none but those who have been *born of citizens* since the 4th of July, 1776."** [modernized spelling & emphasis are mine]

Do you see? Ramsay's Dissertation sets forth the understanding of the Time, formally stated by Vattel and incorporated by our Framers, that a "natural born Citizen" is one who is **born of citizens.** And we had no "citizens" until July 4, 1776. Now, let us look at the First Congress.

How the First Congress followed Vattel and our Framers:

Article I, §8, cl. 4 delegates to Congress the power "To establish an uniform Rule of Naturalization".[6] Pursuant to that power, the First Congress passed the Naturalization Act of 1790. Here is the text, which you can find at 1 Stat. at Large, 103:

"SECTION1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any alien, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof, on application to any common law court of record, in any one of the states wherein he shall have resided for the term of one year at least, and making proof to the satisfaction of such court, that he is a person of good character, and taking the oath or affirmation prescribed by law, to support the constitution of the United States, which oath or affirmation such court shall administer; and the clerk of such court shall record such application, and the proceedings thereon; and thereupon such person shall be considered as a citizen of the United States. **And the children of such persons so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of such naturalization, shall also be considered as citizens of the United States.** **And the children of citizens of the United States**, *that may be born beyond sea, or out of the limits of the United States*, **shall be considered as natural born citizens:** Provided, That the right of citizenship shall not descend to persons whose fathers have never been resident in the United States … APPROVED, March 26, 1790." [7]

So! This Act of the First Congress implements the Principles set forth in Vattel, embraced by our Framers, and enshrined in Art. II, §1, cl. 5, that:

- A "natural born Citizen" is one who is born of parents who are citizens.
- Minor children born here of aliens do not become citizens until their parents are naturalized. Thus, they are not "natural born" citizens.

Our Framers rejected the anti-republican and feudal notion that mere location of birth within a Country ***naturalizes the children of a foreigner***. [8]

The distinction written into Our Constitution and implemented by the Naturalization Act of 1790 is between someone who is **born** ***a citizen, by being born of parents who are already Citizens***, and someone who becomes a citizen after birth by naturalization. Only the former are eligible to be President.

So! Original Intent? Or: Whatever the People with the Power WANT it to Mean?

I have proved the original intent of "natural born Citizen" at Art. II, §1, cl. 5 – **it is one who is *born* of parents who are citizens.** We may not lawfully change that definition except by Amendment to the Constitution. Section 1 of the 14th Amendment does not change the definition because the 14th Amendment defines "citizens" of the United States (which includes naturalized citizens) and not "natural born Citizen".

Some Democrats no longer pretend that the glib, handsome & black Obama (who, following the condition of his putative father, was born a subject of the British Crown) is "a natural born Citizen". They now assert that the Democrat Party has the right to nominate whoever they choose to run for president, including someone who is not qualified for the office. [See pages 3 & 4 of the linked Court Order.]

The school-girlish Establishment Republicans who swoon over the glib, handsome & Hispanic Marco Rubio (who is not a "natural born Citizen", but only *a naturalized citizen*) will ultimately destroy our sovereignity. Once we accept that our President need not be a "natural born Citizen", we will have made a major step towards submission to global government. Because then, **anybody** can be President. PH.

Endnotes:

[1] Monarchies have ***subjects***. Republics are formed by ***citizens***. We broke from a monarchy under which we were *subjects;* and with our War for Independence, were **transformed into *citizens!***
The common law of England recognizes only ***subjects*** of the Crown. England has never had *citizens.* Her feudal doctrine of "natural born **subjects**" is set forth in Book I, Ch. 10, of Blackstone's Commentaries on the Laws of England (I modernized the spelling):
"THE first and most obvious division of the people is into aliens and natural-born subjects. **Natural-born subjects are such as are born within the dominions of the crown of England,** that is, within the … allegiance of the king; and *aliens, such as are born out of it.* Allegiance is the tie … **which binds the subject to the king …**" [emphasis mine]
Under feudalism, people are possessions who belong to the Land in which they were born. So they are "naturally" subject to whoever owns the Land. They were ***born as subjects* to the owner of the land [ultimately, the King] on which they were born**.
With our War for Independence, We repudiated the notion of **natural born *subjects.* *As Citizens***, We ordained and established Our Constitution wherein We ***created*** a federal government which was subject *to us!*

Jake Walker doesn't seem to know the difference between being "a subject of a King" and "a citizen of a Republic", as he equates the feudal concept of "natural born subject" with the Republican concept of "natural born Citizen".
Chet Arthur and Human Events tell us the "**original intent**" of "natural born Citizen" at Art. II, §1, cl. 5 is given by an Amendment defining "citizen" [not "natural born citizen"] ratified 80 years later!
And Bret Baier seems unaware that the methods for amending the Constitution are set forth in Article V; and that Congress may not amend the Constitution by making a law which redefines terms set forth in the Constitution!

These four **amateurs** would do well to study Birthright Citizenship and Dual Citizenship: Harbingers of Administrative Tyranny, by Professor Edward J. Erler.
Erler addresses the distinctions between "citizenship" and "subjectship"; and the concept of "citizenship" at §1 of the 14th Amendment. He proves that not everyone born here is a "citizen":
Only those whose parents are "subject to the jurisdiction of the US" are citizens.
Illegal aliens are not "subject to the jurisdiction of the US" – they are **invaders whose allegiance is to the Country they left.** ("Anchor Babies" are NOT U.S. Citizens. –comment by RDA)
Foreign diplomats stationed here are not "subject to the jurisdiction of the US". Thus, children born here of these aliens are not citizens!

[2] The 1916 ed. of *Law of Nations* with Lapradelle's introduction is a Google digitized book. If you download it, you get an easily readable text.

[3] Many thanks to my friend, **David J. Edwards**, who provided me with Evidence of Vattel's profound influence on our Founders & Framers.

[4] The hyperlink contains another link where you can see **Jay's** handwritten letter!

[5] Note that Art. I, §2, cl. 2, permits naturalized citizens to serve as Representatives; and Art. I, §3, cl. 3, permits them to serve as Senators.

[6] "Naturalization" is the process, **established by law**, by which foreigners become citizens.

[7] Note that in §§ 215, 216 & 217, Vattel says that c**hildren born of citizens in a foreign country, at sea, or while overseas in the service of their country, are "citizens"**. He goes on to say that by the law of nature alone, children follow the condition of their fathers; the place of birth produces no change in this particular. But he doesn't expressly say they are "natural born citizens". The italicized words at the end of the 1790 Act correct that and make it clear that children of citizens of the United States are "natural born citizens" wherever they are born.

[8] The 14th Amendment doesn't change this one whit! READ Prof. Erler's paper, linked above.

NOTICE! To all who strain to find something I "failed to mention": I didn't quote *Minor v. Happersett* because *Minor* merely paraphrases, in *dicta,* a portion of the Naturalization Act of 1790, the text of which is set forth above.
July 19, 2012

POST SCRIPT added July 25, 2012:

The following valuable comment was posted by Political Junkie Too at:
http://www.freerepublic.com/focus/bloggers/2908140/posts?page=18
From The Rights of Man, The Rights Of Man, Chapter 4 — Of Constitutions, Thomas Paine, 1791:
If there is any government where prerogatives might with apparent safety be entrusted to any individual, it is in the federal government of America. The president of the United States of America is elected only for four years. He is not

only responsible in the general sense of the word, but a particular mode is laid down in the constitution for trying him. He cannot be elected under thirty-five years of age; and **he must be a native of the country**.
In a comparison of these cases with the Government of England, the difference when applied to the latter amounts to an absurdity.
In England the person who exercises prerogative is often a foreigner; always half a foreigner, and always married to a foreigner.
He is never in full natural or political connection with the country, is not responsible for anything, and becomes of age at eighteen years; yet such a person is permitted to form foreign alliances, without even the knowledge of the nation, and to make war and peace without its consent.

But this is not all. Though such a person cannot dispose of the government in the manner of a testator, he dictates the marriage connections, which, in effect, accomplish a great part of the same end. He cannot directly bequeath half the government to Prussia, but he can form a marriage partnership that will produce almost the same thing. Under such circumstances, it is happy for England that she is not situated on the Continent, or she might, like Holland, fall under the dictatorship of Prussia. Holland, by marriage, is as effectually governed by Prussia, as if the old tyranny of bequeathing the government had been the means.

The presidency in America (or, as it is sometimes called, the executive) is the only office from which a foreigner is excluded, and in England it is the only one to which he is admitted.
A foreigner cannot be a member of Parliament, but he may be what is called a king.
If there is any reason for excluding foreigners, it ought to be from those offices where mischief can most be acted, and where, by uniting every bias of interest and attachment, the trust is best secured.
But as nations proceed in the great business of forming constitutions, they will examine with more precision into the nature and business of that department which is called the executive. What the legislative and judicial departments are every one can see; but with respect to what, in Europe, is called the executive, as distinct from those two, it is either a political superfluity or a chaos of unknown things.

Yes, Paine did use the term “native of the country.” Does this mean “native born” instead of “natural born?” We have to look at the following statements to answer that question. Paine refers to English examples in order to define this. Paine cites “foreigner” and “half a foreigner” as the opposite to “full natural” connection to the country. So, what is “half a foreigner?”
It seems to me that “half a foreigner” is a person with one parent who is a citizen and one parent who is not. This person does not have a “full natural… connection with the country.”
Paine wrote plainly of why the Framers did not want “half-foreigners” to be president, and why only people with a “full natural… connection with the country” were allowed to become President.
Paine was widely recognized as the most influential writer of the time of Independence because of his plain writing style that resonated with the common person.
Paine’s description of the meaning of Article II was written in 1791, and I take it to be reflective of the common understanding of the time. This was, after all, written just two years after the ratification of the Constitution. If Paine said that natural born citizens meant both parents were citizens, then that was the plain meaning.
-PJ
18 posted on **Wednesday, July 18, 2012 6:10:53 PM** by Political Junkie Too