

Divided Loyalties

Words have meanings.

A *native-born* individual is one who is born on U.S. soil. (This is the subject of considerable dispute because some people—even those who have studied Constitutional law—broadly interpret the 14th Amendment to mean that all “anchor babies” are automatically U.S. citizens. That was certainly not the intention of the amendment’s authors.)

A *natural born citizen* is a person born on U.S. soil to two U.S.-citizen parents.

A *naturalized citizen* is a person born in another country who emigrates to the United States and who goes through the legal process to become a U.S. citizen.

A *citizen* can be any of the above. (All trees are plants but not all plants are trees. All natural born citizens are citizens but not all citizens are natural born citizens.)

Historical documents from the late 18th century confirm that the Founding Fathers clearly understood the term natural born citizen to mean born on U.S. soil to two U.S.-citizen parents. Further, the grandfather clause in Article II, Section 1, Clause 5 of the U.S. Constitution serves no purpose if *natural born* means nothing more than *native born*, or born on U.S. soil.

Obama has been fighting various eligibility lawsuits not to prove that he was born in Hawaii—which he could do simply by producing his long-form birth certificate, if in fact he was born in Honolulu—but *to keep the Supreme Court from ruling on the meaning of the term natural born citizen*. Obama knows that the Supreme Court would have to rule against him, unless it chose to ignore the U.S. Constitution and supporting historical documents. Justices Sotomayor and Kagan would no doubt rule in favor of Obama (in order to keep their jobs), but he very likely would not be able to get five Justices in his corner to give him a 5–4 win. The Supreme Court has refused to hear the eligibility cases because the Justices know they must rule against him, and they fear the nationwide riots that would take place as a result. They do not want to be responsible for billions of dollars in property damage and hundreds of deaths. (They would rather watch the U.S. economy be destroyed by Obama’s actions, which could arguably have far more devastating effects than riots.) It is likely that only three Justices have the courage to hear an eligibility case. If there were four, *Kerchner v. Obama* would have been heard.

Some Obama supporters improperly point to the 14th Amendment to defend him, but that amendment has nothing to do with the term natural born citizen. It merely states that slaves freed after the Civil War are considered U.S. citizens. (Technically, it was *not* a Civil War, which is a war within a nation to wrest control of that nation. The 1861-1865 *civil war* was technically a *war of independence*,

with the Southern states establishing a new nation called the Confederate States of America. The South was not fighting to take control of the USA, it wanted a separate CSA. President Abraham Lincoln and the Northern states were denying the Southern states the right to secede and form a new nation, as the 13 colonies had done in 1776, essentially seceding from Great Britain. Lincoln therefore placed the power of the federal government over the individual rights of residents of the Southern states. Lincoln's goal was never to free the slaves—and more than a few times he admitted as such—it was to maintain the power of the federal government.) At any rate, the 14th amendment has nothing to do with Obama's ineligibility to serve as president.

Because Obama's defenders continue to bring up the 14th Amendment, it is worth noting that Congressman John Bingham, the father of that amendment, said on the floor of the House of Representatives in 1866:

“Every human being born within the jurisdiction of the United States of parents not owing allegiance to any foreign sovereignty is, in the language of your Constitution itself, a natural born citizen.”

Needless to say, Obama's father owed allegiance to a foreign sovereignty, because he was not a citizen of the United States.

If a majority of Americans want the Constitution changed to remove the natural born citizen requirement, they can lobby their legislators to do so. I am personally opposed to such a change, but if it were to become law, so be it. I respect the U.S. Constitution. I do not respect those who ignore it, or those who believe it is no longer applicable simply because it was written long ago. (Laws against murder have been on the books for a long time as well, but that does not give one the right to violate those laws.)

Let us assume for a moment that Louisiana Governor Bobby Jindal is not a natural born citizen. (I do not know if he is or is not, as I do not know if his parents were U.S. citizens at the time of his birth. They may have been in the United States on student visas from India, and were perhaps not yet naturalized U.S. citizens.) The Founding Fathers did not want a person like Jindal (with his non-natural born citizen status) to serve as president—*not* because of his Indian heritage, but because he is not far enough *removed* from that heritage. Assume Jindal became president even if he is not a natural born citizen. Assume also that India and Pakistan engage in a war. Assume that it is in the best interests of the United States for Pakistan to win that war. Does Jindal support Pakistan? Or does he support India?

The same problem could arise with Marco Rubio, who may or may not be a natural born citizen. (His parents were born in Cuba. I do not know when or whether they became U.S. citizens.) Assume the United States has a confrontation with Cuba. Does a President Rubio act only in the best interests of

the United States? What if he still has relatives in Cuba? Does he order his generals not to bomb a strategic location in Cuba simply because his aunt and uncle live there?

If war broke out between the United States and Austria, what would a President Schwarzenegger do? (Schwarzenegger, of course, cannot be president. Not only were his parents not U.S. citizens, he was born in Austria—where Obama thinks, as he once remarked, that they speak “Austrian.”)

In the unlikely event that a war erupts between Great Britain and Kenya, will Obama support Kenya? Even if it is in the best interests of the United States to support Great Britain?

The issue is not the integrity of Governors Jindal or Rubio. I assume they are good, decent people and I likely agree with them on many issues. The point is that the Founding Fathers wanted to reduce as much as possible the likelihood that a president would be placed in a compromising position, where his loyalty to the United States might be in conflict with his loyalty to the nation of his parents' birth. *The farther removed the president is from such a conflict, the safer the United States will be.* If a president's parents emigrated to the United States and relinquished their foreign citizenship to become U.S. citizens, the Founding Fathers believed that their subsequent children would be far enough removed from that foreign land to be able to serve as president. The issue is divided loyalties, *not* race or religion or accent or political philosophies.

Obama's father was *not* a citizen of the United States. He was a British subject when Obama was born. (Kenya did not yet exist in 1961; the area was a British Protectorate.) Obama's father's loyalties later transferred to the Republic of Kenya at its founding in 1964. Obama has clearly demonstrated divided loyalties, in his atrocious and insulting treatment of Great Britain, and his support for the radical, Sharia-law-promoting Raila Odinga in his failed attempt to win the Kenyan presidency. Obama not only acted against the interests of the United States in his support of Odinga, he most probably violated the Logan Act in the process.

It is the issue of **divided loyalty** that the Founding Fathers sought to avoid with their inclusion of the natural born citizen requirement. It is clear that they were correct to have those concerns.

Was Obama born in Kenya? That is irrelevant—although if he was that would make it easier for most Americans to understand why he is an illegal occupant of the Oval Office. The issue is that Obama is *not* a natural born citizen, because his father was not a U.S. citizen.

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Note: Interestingly, even though Donald Trump is a natural born citizen eligible to serve as President of the United States, four of his five children are not. Trump was born on U.S. soil to two U.S.-citizen parents. (His Scottish mother became a naturalized citizen before he was born.) Trump's first wife, Ivana, was born in Czechoslovakia and did not become a naturalized U.S. citizen until 1988—after their children Donald, Jr., Ivanka, and Eric were born. Trump's ex-wife Marla Maples is a U.S. citizen, making their daughter Tiffany a natural born citizen. Trump's third wife, Melania, is a native of Slovenia. Their child Barron was born in 2006, but it is believed that Melania is still going through the naturalization process. All five of Trump's children are U.S. citizens, of course, but only one is a natural born citizen. Although most Americans likely do not have a problem with a U.S. citizen candidate whose father is a U.S. citizen and whose mother is Czechoslovakian, Ivanka Obama cannot legally serve as president (even after she reaches age 35). That the voters ignored the Constitution when they elected Obama is not a justification for doing so again. If the voters want the presidential requirements changed, they should demand that the Constitution be amended—rather than ignore it and make a mockery of the law.